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Reimbursable Advisory Services Agreement to Support to the National Agency for Civil Servants on Human Resource Management Reforms in Romania (P503309)

Deliverable 4: Report on options for reforming the corps of high-level civil servants in the Romanian public administration

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Abbreviations and Acronyms

APDP	Annual Professional Development Plan
ADR	Authority for Digitalization of Romania
CReSAP	Comissão de Recrutamento e Seleção para a Administração Pública
DG	Director General
DSG	Deputy Secretary General
EDP	Executive Development Program
ES	Encadrement supérieur (senior civil service in France)
EU	European Union
GEO	Government Emergency Ordinance
GoR	Government of Romania
HLCS	High-Level Civil Service / High-Level Civil Servant(s)
HRM	Human Resources Management
IDP	Institutional Development Plan
IT	Information Technology
L&D	Learning and Development
MDPWA	Ministry of Development, Public Works and Administration
MLFYSS	Ministry of Labor, Family, Youth and Social Solidarity
MF	Ministry of Finance
MFF	Multi-Annual Financial Framework (EU)
NACS	National Agency for Civil Servants
NIA	National Institute of Administration
NRRP	National Recovery and Resilience Plan
OECD	Organisation for Economic Co-operation and Development
RACI	Responsible – Accountable – Consulted – Informed
RAS	Reimbursable Advisory Services
SCS	Senior Civil Service
SG	Secretary General
SGPI	Secretary General of the Prefect's Institution
SOE	State-Owned Enterprise
TNA	Training Needs Assessment
TSI	Technical Support Instrument

Executive Summary

The World Bank is providing technical assistance to the Government of Romania (GoR), led by the National Agency for Civil Servants (NACS), to support its efforts to improve human resources management (HRM) in the public administration.¹ The current technical support builds on previous reforms developed by the NACS aimed at professionalizing, consolidating and improving the meritocracy and performance-orientation of the civil service in Romania. These include the introduction of a general competency framework for all civil servants in the public administration, and a new national recruitment and selection process for civil servants, based on the general competency framework. Under this RAS, the Bank is supporting the NACS to enhance and expand these reform efforts through four inter-connected workstreams:

- (i) Consolidating the corps of high-level civil servants (HLCS) in the public administration, through improved HRM frameworks, policies and instruments. This includes reforming the operating model for the HLCS to enable it to drive the delivery of results for citizens in the public administration.² The HLCS represent Romania's top civil service management within the public administration, tasked with ensuring the legality of policy decisions, the operational continuity, and the organizational performance of central and territorial public administration institutions. They serve as the institutional link between the political leadership and the administrative level and ensure that policy decisions made at the political level are effectively implemented.
- (ii) Design, development, implementation and evaluation of an executive development program (EDP) to strengthen the skills of secretaries general/deputy secretaries general and senior civil servants at the level of directors general (DG) in the central public administration, as part of the initiative to introduce the general competence framework in learning and development (L&D) activities applicable to HLCS and management functions in public administration, in complementarity with the specialized training program for HLCS, coordinated by the National Institute of Administration (NIA).³
- (iii) Improving strategic workforce planning in public administration, through better integration of the general competence framework and better use of data.⁴
- (iv) Developing a strategic framework focused on the development of fit-for-purpose human resources in the public administration and on the use of data for HRM through coherent and functional data governance arrangements.⁵

¹ Through the Reimbursable Advisory Services Agreement to Support to the National Agency for Civil Servants on Human Resource Management Reforms in Romania (P503309).

² This is covered through the current report.

³ This activity is covered by Deliverable 1 and, partially, by the future Deliverable 5.

⁴ This is covered through the upcoming Deliverable 2 *Report on using strategic workforce planning for fiscally sustainable staffing in priority/selected areas* and partly through the upcoming Deliverable 5.

⁵ Covered by the upcoming Deliverable 3 *Report with technical input and recommendations for the Strategy for the Civil Service, including on developing a comprehensive data governance framework for the public administration*.

This report represents Deliverable 4 developed under this RAS Agreement and includes a detailed analysis on the HLCS system in Romania, and recommendations to improve its effectiveness.¹ This deliverable draws on earlier and ongoing reforms led by the NACS, including the introduction of a general competency framework and new recruitment and selection processes for civil servants, and identifies structural deficiencies in the HLCS's current operating model and gaps between the legal framework and its implementation. It proposes systemic and operational recommendations to transform the HLCS into a fit-for-purpose, results-driven, and accountable body.

The assessment and recommendations combine international best practices with findings from an in-depth review of Romania's HLCS. The report uses an established analytical framework for assessing senior civil service systems and draws lessons from OECD countries, particularly France's ongoing SCS reform. The Bank team reviewed Romania's regulatory and HRM frameworks for HLCS and analyzed historical appointment decisions and jobholder CVs to identify patterns in appointments, tenure, and career trajectories. The recommendations integrate the findings from previous co-design workshops with beneficiaries, which defined the different responsibilities and job profiles of HLCS.

International experience with Senior Civil Service (SCS) systems in OECD member states

The effective functioning of senior civil service (SCS) systems is determined by its design features. An analytical framework from the OECD- SIGMA identified eight inter-dependent features for effective SCS systems: scope and legal status; duration of appointment; recruitment and selection; termination safeguards; remuneration; performance management; mobility and career development; and system-level governance.⁶ International experience at the OECD level shows that the coherence of these elements, rather than any single rule, determines whether senior managers can act as strategic partners to government.

Rigorous selectivity filters, based on meritocratic recruitment policies and process, are central to the SCS system. Countries with clearly defined SCS cadres limit membership to genuinely strategic leadership roles, often two layers below political ministers. Horizontal coverage may extend beyond core ministries to agencies and regulators (e.g., Belgium and Slovenia), promoting uniform leadership standards across government. Recruitment to these roles is generally centralized, but flexible to political selection. Ireland's Top-Level Appointments Committee (TLAC) and Portugal's Recruitment and Selection Commission for Public Administration (Comissão de Recrutamento e Seleção para a Administração Pública – CReSAP) run open competitions and present shortlists to ministers, combining democratic accountability with protection from patronage. Estonia applies a three-dimensional leadership-competency model and public digital job-portals to widen the talent pool.

Fixed-term mandates, generally four-to-seven years, enhance accountability and reduce politicization by decoupling managerial tenure from election cycles and by linking renewal to performance. The Netherlands applies five-year contracts combined with centrally managed mobility, while Belgium ties

⁶ OECD-SIGMA. 2024. Top Public Management Toolkit. OECD Publishing.
<https://www.sigmaweb.org/publications/top-public-management-toolkit.html>

contract renewal to positive performance reviews. Effective systems link multi-annual performance agreements for each SCS to the strategic plans of ministries. Belgium's strategic and operational planning model aligns annual targets with legislative-term goals, while Ireland's departmental business planning framework cascades high-level priorities down to divisional outputs with quarterly milestones. Appraisal outcomes drive renewal, mobility, career development actions and, where fiscally sustainable, moderate performance-related pay (e.g. Portugal). Evaluation processes are documented, transparent, and allow appeals, reinforcing managerial integrity.

Cross-government mobility policies dedicated to SCS are widely used to broaden experience and break institutional silos. Centrally coordinated and mandatory rotations for SCS, such as those operated in the Netherlands and in France, seek to create a whole-of-government perspective for top managers and mitigate against entrenchment in specific jobs. However, these have to be balanced through adequate and enforceable safeguards to balance continuity and retention of domain expertise.

Competitive yet fiscally responsible pay frameworks underpin the attractiveness of SCS role. Experience from OECD countries showcases that compensation policies for SCS must be competitive, to attract top talent from both the private and public sector in complex jobs, but also transparent and equitable. Estonia publicly discloses salary bands tied to job complexity, whereas in Ireland an independent remuneration commission regularly benchmarks salaries against domestic and international comparators. Portugal links part of pay progression to appraisal results while keeping the scheme transparent.

Central governance of HRM functions for SCS is required to maintain consistency and safeguard merit, while day-to-day line-management remains with employing institutions. Portugal's CReSAP is an independent statutory body overseeing open competitions for all top management posts, whereas Estonia follows a mixed model in which the Government Office coordinates compliance, but ministries handle appraisals and training. This combination of central standard-setting and decentralized implementation enables both professionalism and responsiveness to sector needs.

The High-Level Civil Service in Romania: Overview and main challenges

The HLCS are Romania's top management civil servants responsible for ensuring the legality, continuity, and managerial stability of central and territorial government institutions. They provide the connection between political leaders and the public administration apparatus, ensuring that policies agreed at the political level are translated into operational results. As of 2024 the HLCS comprised 166 statutory positions, but appointments are predominantly temporary: only 18 percent of positions were permanently filled, 62 percent were held on temporary mandates, and 20 percent were vacant. Moreover, most HLCS appointments last of six months or less. Per the Administrative Code (AC), the HLCS corps includes four statutory categories:

- (i) **Secretaries General (SG) and Deputy Secretaries General (DSG) in ministries and central agencies:** the SG represent the highest civil service position in each line ministry. SGs coordinate all administrative departments, oversee internal control and compliance systems, and manage the circulation and endorsement of legislative drafts. They often act as interim legal representative and main credit officer of the ministry. SGs also play a central role in the corporate governance of state-

owned enterprises (SOEs) by issuing Letters of Expectations, vetting boards, approving key performance indicators, and monitoring SOE performance.⁷ The DSG mirror the SG's legal status and are often assigned oversight of particular portfolios or projects according to ministerial needs.

(ii) The State Inspector General of the Labor Inspectorate: a unique HLCS position.

(iii) The Secretary General of the Prefect's Institution: though their statutory duties remain loosely defined, SGPIs manage daily operations of the Prefect's Institution, guarantee continuity during leadership transitions, and oversee legality checks of local authority acts.

(iv) Government Inspectors (GI): originally conceived as an elite mobile cadre to support cross-cutting projects, but today consist largely of former SGs or DSGs deployed in GI jobs. They operate under responsibilities set by the Prime Minister, often with vague deliverables and little performance oversight.

The HLCS has not proven to be effective in delivering the level of strategic leadership envisaged, as measured consistently by established indicators of good governance and delivery capacity. The Blavatnik Index of Public Administration⁸ places Romania below EU/OECD averages on the Strategy & Leadership domain, with the steepest deficits in Strategic Capacity and Cross-Government Collaboration, indicating difficulties in setting long-term priorities, aligning ministries, and sustaining whole-of-government policy coherence. Similar messages emerge from the Bertelsmann Transformation Index,⁹ which cites weak steering capability, inconsistent policymaking and inefficient use of resources, and from the World Bank's Worldwide Governance Indicators,¹⁰ where Romania ranks among the lowest EU and OECD performers on Government Effectiveness and Regulatory Quality. These shortcomings point to the need to reinforce the capability and stability of the HLCS..

The HLCS in Romania suffers from inconsistent legal definition and blurred boundaries of responsibility. The AC does not establish a distinct HLCS corps but treats these posts as part of the wider civil service, subject to differentiated HRM rules. The AC defines SG responsibilities in detail, while DSG have duties set at the discretion of the minister, leaving ample room for political discretion. In practice, mandates are frequently undermined through temporary appointments and *ad hoc* revisions of responsibilities. Ministers often relegate policy coordination to their political cabinets, leaving SGs and DSGs with operational management tasks, but sometimes curtailing or excessively expanding their remit depending on political relationships.

⁷ According to GEO No. 109/2011 of 30 November 2011 on the corporate governance of state-owned enterprises, as subsequently amended and supplemented, and GD No. 722/2016 of 28 September 2016 approving the methodological norms for the application of certain provisions of GEO No. 109/2011 on the corporate governance of state-owned enterprises.

⁸ Blavatnik School of Government. 2024. Blavatnik Index of Public Administration 2024. University of Oxford. Available at <https://index.bsg.ox.ac.uk>.

⁹ Bertelsmann Stiftung. 2024. BTI 2024 Country Report: Romania. Gütersloh: Bertelsmann Stiftung. Available at <https://bti-project.org/en/reports/country-report/ROU#pos9>.

¹⁰ World Bank. 2024. Worldwide Governance Indicators, 2024 Update. Available at www.govindicators.org.

The DG role constitutes the second tier of management, but their mandates frequently overlap with those of SGs and DSGs. DGs are pivotal in steering policy domains and managing resources, yet they remain formally classified as “management-level civil servants”. A previous World Bank analysis highlighted substantial similarities between DG roles and HLCS in terms of duties, competencies, and complexity and, thus, has proposed reclassifying DG posts as HLCS positions, to ensure coherence across senior leadership roles.¹¹

Eligibility criteria for HLCS roles fail to prioritize managerial and leadership experience. Eligibility filters are limited to higher education, seven years of experience, and graduation from a mandatory training program led by the NIA or having a completed parliamentary mandate. This lowers disproportionately the threshold for entry and does not establish a career pipeline from public administration management roles to HLCS positions.

Temporary appointments, usually under six months, have become the predominant method of filling SG and DSG positions.¹² Between January 2021 and May 2025, 358 appointments of SG and DSG were made, of which 219 (61 percent) were temporary promotions of execution-level staff, and 128 (36 percent) were transfers from other institutions. No appointments resulted from open competition during this period. Analysis of career trajectories reveals that appointees often come from political backgrounds such as political advisors, prefects, or state secretaries, showing that political experience carries more weight than managerial expertise.

Strategic workforce planning for HLCS remains underdeveloped. The AC requires the NACS to develop biennial recruitment plans, but the first plan was officially approved in 2025. These plans, however, remain formal exercises with little predictive value, as they are heavily influenced by ministerial reorganizations which, in turn, are driven by political rather than strategic needs. The NACS organized a pilot national competition for HLCS positions in 2023, which created a pool of 21 eligible candidates, but the second stage of the selection process could not continue in the absence of the Prime Minister’s decision appointing the competition and appeals committees, undermining the credibility of the reform.¹³

Although the AC formally restricts dismissals to misconduct or discretionary organizational changes, temporary mandates effectively bypass these safeguards. The HLCS temporary appointment can be terminated at any time, making HLCS incumbents vulnerable to political discretion. Disciplinary procedures exist, but the disciplinary committee for HLCS has not been operational since 2021, the sanctioning mechanisms provided by the legal framework are ineffective, and given the institutional deadlock (the absence of appointments for a new disciplinary committee), they cannot be applied.. The absence of tailored rules for HLCS responsibilities leaves significant accountability gaps.

¹¹ World Bank. 2020. Deliverable 3: Report on competencies and jobs in the Romanian public administration. Developed under the RAS on Developing a Unitary Human Resources Management System Within the Public Administration, part of the SIPOCA 136 project “Developing a Unitary Human Resources Management System Within the Public Administration”

¹² Based on a desk research of appointment and release decisions issued by the Prime Minister, and CVs of job holders. See Annex 4.

¹³ A second competition for HLCS positions was launched by NACS in November 2025.

Performance evaluation for HLCS is essentially an administrative formality. HLCS generally receive the highest rating, regardless of actual performance, and evaluations have no impact on renewal, pay, or development opportunities. The process is highly fragmented, as HLCS self-report activities, supervisors produce evaluations, and an external committee appointed by the Prime Minister is meant to validate results. However, this committee has never convened since its latest appointment in 2023 and lacks access to meaningful data. Moreover, performance objectives are disconnected from institutional goals. They are often generic, reused from previous years, or narrowly focused on routine tasks, rather than linked to institutional strategic plans.¹⁴ Oversight mechanisms, such as internal audit and managerial control, focus only on legal compliance rather than quality or results, reinforcing a culture of procedural conformity over genuine accountability.

Wage disparities across HLCS posts create inequities and distort incentives for performance. Framework Law 153/2017 defines uniform base pay for different HLCS roles, but, in practice, total pay across institutions varies substantially. For example, SGs in certain ministries receive significantly higher compensation than peers with equivalent responsibilities elsewhere. Variable pay accounts for around 16 percent of total compensation but is not linked to performance. In some cases, DGs and other management-level staff earn more than SGs, undermining incentives to pursue HLCS posts. Furthermore, discretionary benefits, such as political appointments to remunerated membership in the boards of State-Owned Enterprises (SOE) reinforce politicization and opacity in compensation policies for HLCS. Comparative analysis shows, however, that HLCS pay levels relative to national averages are in line with or above OECD benchmarks.

The HLCS lacks a structured career progression and development system, proportional to their seniority and strategic importance. Once appointed, SGs have limited opportunities for promotion or horizontal mobility except through political discretion. The AC treats all HLCS as a single grade, preventing differentiation or clear progression pathways. The L&D ecosystem is fragmented and weakly aligned with competency needs. The only dedicated program for HLCS, run by the NIA, is tied to administrative eligibility for appointments into HLCS positions rather than continuous professional growth. Most learning interventions remain generic, poorly targeted, and lack monitoring or evaluation. Existing mobility provisions, such as reassignments to Government Inspector posts, are nearly always used as tools for sidelining active HLCS rather than fostering leadership development.

Governance of the HLCS system is fragmented, incoherent, and unenforceable. Multiple institutions share HRM responsibilities without a central coordinating and oversight body. The Prime Minister formally issues appointments, but policymaking and operational management is split between a series of institutions which do not interact meaningfully: the NACS, the General Secretariat of the Government, the Ministry of Development, Public Works and Administration, the Ministry of Internal Affairs, the Ministry of Labor, and the political leadership of employing institutions. Inter-institutional structures for collaboration on HRM have not proven effective or have not been made operational.

¹⁴ As part of milestone 419 under the NRRP, the NACS has developed proposals to incorporate competencies and institutional performance as integral part of the performance evaluation policies and process for HLCS.

The NACS holds limited regulatory and technical responsibilities but lacks enforcement powers. The NACS manages basic personnel data but cannot control temporary appointments or have a central role in managing HLCS operationally. Moreover, its monitoring and evaluation capacity and policy leverage is limited, as its access to personnel data is restricted to basic demographic information, and not cross-validated with wage or financial data, preventing robust workforce monitoring and planning. Oversight thus remains limited to compliance checks, with financial scrutiny falling primarily to the Court of Accounts.

Proposed options for designing and establishing a fit-for-purpose HLCS system in Romania

The HLCS should be capacitated, enabled, and accountable to deliver results for citizens under a fit-for-purpose operating model. The transformation of the HLCS should aim is to build a merit-based, performance-driven leadership cadre that can steer national reforms, improve service delivery and safeguard the efficient use of public resources. To achieve these objectives, a first set of proposed options targets structural transformations of the HLCS framework. These transformations must form part of a comprehensive public administration reform spanning a five-year period, given the structural changes required to the HLCS model. Table 1 below presents a summary of the proposed changes. A second set of options focuses on operational improvements to the current HLCS framework, which can be implemented in the short term and can complement and prepare the structural reforms proposed through the first set of options.

The HLCS should become a platform and generate a common approach for all top management civil service positions. All strategic top civil service management roles which have comparable job complexity levels with current HLCS roles, across the different state functions (e.g., inspections and policymaking), should be brought under a unified HLCS classification and grading system consistent with the envisaged reform of the public sector wage system. This would ensure a proportional, yet consistently applied HRM regime for equivalent jobs, and produce a critical mass of top non-political leaders capable of delivering whole-of-government solutions for citizens.

The job responsibilities, mandates, and scope of HLCS roles should be revised to improve collaboration, complementarity, and relevance. The SG role should be refocused to be responsible for the delivery of ministerial priorities, not just administrative management of institutions. DSGs, instead, would focus on ensuring the institution's operational performance, particularly through digital transformation. The SG of the Prefect's Institution should be aligned to the DSG role, while the Government Inspector post should be abolished, as it does not serve a substantive leadership role.

Recruitment for HLCS should combine rigorous pre-testing through the national recruitment with appropriate political flexibility for the final selection. The HLCS roles should be fully position-based, open to internal and external candidates. Candidates must first pass the national competition implemented by the NACS, with advanced competency testing; appointments from the resulting shortlist would be at the discretion of political leadership. Appointments would be based on term mandates, after which rotation becomes mandatory. Jobholders in DG roles will serve as the main feeder path into HLCS posts.

All HLCS roles who suspend their civil service appointments should be subject to strict, enforceable “cooling-off” periods of one to two years to prevent conflicts of interest and safeguard integrity.

Currently, open-ended HLCS job holders can suspend their roles for multiple years, depending on the provisions set out by the AC,¹⁵ and return to equivalent positions without restrictions, generating integrity risks whereby they can leverage confidential information outside of the civil service, maintain informal influence over incumbents, or move directly into board or executive roles in sectors that they once supervised. By establishing mandatory cooling-off periods for re-entry into the civil service and for appointments to private sector leadership positions, the Government can reduce risks of clientelism, protect institutional neutrality, and ensure that senior officials cannot exploit their authority after leaving office.

A central, stand-alone HRM authority is required for the effective governance of the HLCS system.

This institution would be responsible for central coordination and management of the HLCS where possible, while employing institutions would have delegated HRM responsibilities where required. It would manage actively the workforce planning process, set L&D policies and dedicated interventions, and centralize personnel data collection and management for HLCS. Day-to-day HRM operational management would remain in the ministries but under central monitoring for compliance and consistency. At present, the NACS is best placed to become an independent central HRM body under the Prime Minister’s Office, which would oversee the HLCS system. Its mandate and institutional leverage over the HLCS should be strengthened by a new formal role of Head of the Civil Service, which could be formally held by the Prime Minister, and delegated to the NACS President.

The NACS would need to improve its capacity to collect, process, and use standardized personnel data to drive evidence-based HRM policies for the HLCS. Currently, data use is minimal and limited to basic reporting, leaving the Government unable to anticipate recruitment needs, manage succession planning, or assess pay and training competitiveness. By fully operationalizing the ICT platforms and systems currently being developed by the NACS, data exchange protocols, and a robust governance framework, the NACS could systematically use key indicators, such as vacancy rates, time-to-hire, succession coverage, internal mobility, training investments, gender balance, and wage compression ratios, to develop adequate policies for HLCS. Leveraging these insights will allow the Government to streamline recruitment, design targeted leadership development programs, ensure fair and inclusive practices, and benchmark performance against OECD/EU peers to set ambitious yet realistic reform targets.

The HLCS transformation should be built on a strong legal foundation and integrated into a coherent, system-wide strategy for public administration reform. Legal provisions modifying the AC should be precise, consistent, and resistant to discretionary interpretation to ensure predictability and effectiveness across political cycles. The Government should modernize the HLCS operating model as part of its broader public administration strategy, aligned with EU initiatives such as the ComPact,¹⁶ milestones in the NRRP, and OECD accession commitments, to avoid fragmented reforms and ensure coherence across interconnected HRM policies including recruitment, performance management, wages, mobility, and learning and development. The success of this transformation further depends on adequate financing,

¹⁵ According to Articles 512-515.

¹⁶ European Commission. 2023. Enhancing the European Administrative Space (ComPact). COM/2023/667 final.

combining national budget allocations with EU resources such as the Cohesion Policy and the Technical Support Instrument, and supported by a long-term strategy with a costed, sequenced action plan.

The HLCS transformation would require intensive and targeted stakeholder engagement, communication efforts, and a phased implementation plan. The institution mandated to lead the HLCS reform (currently, the NACS and the Ministry of Development, Public Works and Administration) should operationalize a robust, multi-stage communication strategy, based on structured stakeholder mapping that prioritizes actors by their influence, impact, and potential resistance. Early legal amendments and stable recruitment for HLCS roles should be paired with immediate stakeholder consultations to build legitimacy and administrative buy-in. Medium-term steps should focus on detailed legal design, broad consultation to secure political and institutional support, and early planning for sustainable financing within the upcoming EU Multiannual Financial Framework (2028–2034), all backed by governance mechanisms to institutionalize the HLCS transformation.

The different components of the HLCS transformation are mutually reinforcing, but must be sequenced to prioritize establishing the function before designing the form of the HLCS. The GoR should first establish the function of the HLCS in terms of its mission, mandates, and job classification, so that the roles, scope, and required competencies of the public administration's top civil service leaders are clearly articulated and consistently applied across institutions. Only once this functional foundation is in place should the form of the system be effectively developed, meaning HRM mechanisms, institutional arrangements, and accountability policies that will enable the HLCS to operate as intended. Prioritizing this order ensures that structural and procedural reforms are grounded in a coherent understanding of what the HLCS is designed to achieve, allowing subsequent HRM, recruitment, and performance systems to support and sustain a professional, merit-based, and accountable HLCS.

The operational improvements to the HLCS framework, as well as the proposed structural changes, should be grounded in the full and effective implementation of the reform measures already underway in the context of the NRRP. These measures, developed by the NACS, aim to embed a competency-based HRM system within the HLCS and must serve as the foundation for any broader modifications to its operating model. Once adopted, the new policies will need to be translated into clear operational procedures to guide their consistent application across the administration. These procedures should ensure greater predictability, transparency, and career stability for the HLCS, addressing the regulatory gaps identified in the current framework.

The set of options for operational improvements focuses on recommendations for the clear and effective implementation of the changes already proposed for the HLCS framework. First, it targets proposed measures on job-based selection through the operationalization of the committees responsible for selection and appeals, clarification of the NACS's role in the process, extension and use of the national competition results, as well as the elimination of ambiguities related to appointments and reallocations. The recruitment framework must also be strengthened through explicit rules on the eligibility of committee members and on the testing of specific competencies, in order to ensure a merit-based, predictable, and credible process. Second, enhancing the performance and professionalization of the HLCS requires moving from an artificial evaluation system to an integrated, competency-based model. Annual and multi-annual evaluations must align institutional objectives with general and position-specific competencies, through clearly defined behavioural descriptors and standardized procedures. Third, the sustainable functioning of

the HLCS system requires clear rules for the implementation of mobility, rotation, temporary appointments, and the identification and assessment of training needs, with the aim of supporting continuous professional development.

Table 1. Summary of structural changes proposed for the HLCS operating model

Reform workflow	Short description	Problem addressed	Envisaged outcome	Prerequisites
1. Redefining and reclassifying the HLCS <i>Top and immediate priority for the HLCS reform</i>	Establish a legal and conceptual framework for HLCS, including its mission, scope, and job classification, integrated with the wider public sector wage system and classification reform.	The HLCS currently exists only as a legal grouping of job titles with inconsistent classification and HRM rules. This undermines its use as a tool for managing the performance of the civil service top management.	The HLCS has a clear legal definition, mission statement, and transparent job classification, consistently applied across all institutions. All comparable top management roles (SG, DSG, DG, and comparable top management jobs) are captured under the HLCS with appropriate grading, creating a coherent leadership cadre.	The job analysis and job evaluation for the proposed HLCS roles are finalized and validated. The grading structure for the envisaged public sector wage system is introduced.
2. Revising roles and mandates of HLCS <i>Top and immediate priority for the HLCS reform</i>	Redefine SG, DSG, and DG mandates to focus on strategic leadership, results delivery, and accountability, and clarify reporting lines. Remove roles that do not fit (e.g., Government Inspector) or reclassify where appropriate (e.g. SGPI).	Current mandates are inconsistent, overly administrative, or politically discretionary, leading to blurred accountability and weak institutional performance.	SGs are accountable for policy results with clear authority over policy structures; DSGs coordinate institutional operations and digital transformation; DGs lead sectoral strategy delivery; redundant roles are eliminated. Reporting lines and accountability are clear across government.	HLCS responsibilities and reporting lines are identified and validated to be mutually exclusive and collectively exhaustive.
3. Mainstreaming meritocratic and predictable appointments <i>High priority for the effective</i>	Introduce a streamlined recruitment and selection process for HLCS, differentiated across the tiers of the HLCS.	Current appointments are <i>ad hoc</i> , temporary, and politically driven, undermining meritocracy and professionalization.	HLCS appointments are competitive, transparent, and predictable. Selection pools are strong ($\geq 4:1$ candidate ratio) and shortlists provide qualified choice to political leaders. Rotations and mobility in the HLCS reduce	The testing under the national competition is calibrated to ensure rigorous and valid testing and triage of HLCS candidates

<i>functioning of the HLCS, based on mandate and function</i>	Operationalize the proposed time-bound mandates and rotations for SG/DSG and introduce internal promotion track for DGs to SG/DSG roles.		entrenchment in specific positions and opens opportunities for career progression.	The HLCS is reclassified to ensure a critical mass of available positions for rotations.
4. Ensuring accountability for performance <i>High priority for the effective functioning of the HLCS, based on mandate and function</i>	Strengthen performance management by linking individual objectives to institutional priorities. Unify performance management responsibilities at the employer level. Introduce probation periods and performance-linked exit mechanisms.	Current performance appraisals are largely procedural, lack independent assessment, and are disconnected from promotion, mobility, or sanctions. They have no impact on individual or organizational performance.	HLCS performance is regularly and meaningfully assessed and acted upon by the responsible political decisionmaker, with clear links to institutional results. Underperformers can be supported or exited fairly, and top performers are recognized and rewarded.	The HLCS performance management policy framework, tools, and enabling systems are overhauled to introduce the competency framework and institutional performance dimensions. Reporting lines and day-to-day accountability for HLCS performance are delegated at the employer level.
5. Establishing a fit-for-purpose governance structure for the HLCS	Centralize HRM governance for HLCS in a stand-alone body, with authority under the Prime Minister, while delegating	Current governance is fragmented, with overlapping mandates and weak enforcement.	A single institution has the mandate, institutional leverage, and tools to oversee and manage the HLCS as an integrated system. Responsibilities for the planning, recruitment, mobility, and performance management of the	Institutional mandates, arrangements, and personnel data governance frameworks are redefined for a

<i>High priority for the effective functioning of the HLCS, based on mandate and function</i>	day-to-day management to institutions.		HLCS are shared with the institutions in which HLCS carry out their activity, in a way that ensures both flexibility for direct accountability and consistent application of meritocracy and performance requirements across the public administration.	centralized HRM model.
6. Reinforcing integrity standards <i>Supporting priority for the accountability of the HLCS</i>	Introduce clear “cooling-off” rules and ethical safeguards for HLCS job holders transitioning between public and private sectors.	Current rules are not sufficient to mitigate conflicts of interest and reputational risks generated by HLCS movements between the public and private sector.	Cooling-off periods and conflict-of-interest provisions are enforced, preventing undue influence and protecting public trust.	A functional monitoring and enforcement mechanism is put in place, that can track and apply ethical safeguards for HLCS.

Source: Author’s elaboration.

1. Introduction

1.1 Background

1. **The World Bank is providing technical assistance to the Government of Romania (GoR) to support its efforts, led by the National Agency for Civil Servants (NACS), to improve human resources management (HRM) in the public administration.**¹⁷ The current technical support builds on previous reforms developed by the NACS aimed at professionalizing, consolidating and improving the meritocracy and performance-orientation of the civil service in Romania. These include the introduction of a general competency framework for all civil servants in the public administration, and a new national recruitment and selection process for civil servants, based on the general competency framework. Under this RAS the Bank is supporting the NACS to enhance and expand these reform efforts through four inter-connected workstreams, as follows:
 - (i) Consolidating the corps of high-level civil servants (HLCS) in the public administration, through improved HRM frameworks, policies and instruments. This includes reforming the operating model for the HLCS to enable it to drive the delivery of results for citizens in the public administration.¹⁸
 - (ii) Design, development, implementation and evaluation of an executive development program (EDP) to strengthen the skills of secretaries general/deputy secretaries general and senior civil servants at the level of directors general (DG) in the central public administration, as part of the initiative to introduce the general competence framework in learning and development (L&D) activities applicable to HLCS and management functions in public administration, in complementarity with the specialized training program for HLCS, coordinated by the NIA.¹⁹
 - (iii) Improving strategic workforce planning in public administration, through better integration of the general competency framework and better use of personnel data.²⁰
 - (iv) Developing a strategic framework focused on the development of fit-for-purpose human resources in the public administration and on the use of data for HRM through coherent and functional data governance arrangements.²¹
2. **This report represents Deliverable 4 developed under this RAS Agreement and includes a detailed analysis on the HLCS system in Romania, and recommendations to improve its effectiveness.** This

¹⁷ Through the Reimbursable Advisory Services Agreement to Support to the National Agency for Civil Servants on Human Resource Management Reforms in Romania (P503309).

¹⁸ This is covered through the current report.

¹⁹ This activity is covered by Deliverable 1 and, partially, by the future Deliverable 5.

²⁰ This is covered through the upcoming Deliverable 2 *Report on using strategic workforce planning for fiscally sustainable staffing in priority/selected areas* and partly through the upcoming Deliverable 5.

²¹ Covered by the upcoming Deliverable 3 *Report with technical input and recommendations for the Strategy for the Civil Service, including on developing a comprehensive data governance framework for the public administration*.

report presents an assessment of the HLCS system in Romania across different dimensions which are critical to the effective functioning of a senior civil service system. The assessment identifies structural deficiencies in the HLCS current operating model and maps the differences and contradictions between the *de jure* framework and its transposition in practice. Based on this assessment, the report provides proposals for structural recommendations which are required to transform the HLCS into a fit-for-purpose instrument for generating public value, as well as specific recommendations which are required to the current HLCS operating model to improve its functioning and integrate ongoing HRM reforms. In support of implementing the specific recommendations, the report includes corresponding operational procedures and technical input to substantiate changes to the legislative framework.

1.2 Methodological approach

3. **The assessment and recommendations blend international experience in senior civil service systems in OECD countries.** The assessment draws from an analytical framework for assessing SCS developed by the OECD-SIGMA,²² which covers eight dimensions identified as critical for the effective functioning of SCS systems. The recommendations for transforming the HLCS draw from international experience from OECD countries with SCS systems, based on practitioner scholarship,²³ and on primary research on the current SCS reform underway in France.²⁴
4. **The assessment draws from an in-depth analysis of regulatory framework and administrative data for the HLCS system in Romania.** First, the Bank team conducted an in-depth assessment of the regulatory framework governing the functioning of the HLCS in Romania (including legislation on wages), as well as of the existing operational procedures and frameworks for the different HRM functions applicable to HLCS.²⁵ Second, the Bank team reviewed the set of analysis and recommendations related to HLCS produced by the NACS under milestones 418 and 419 of the NRRP.²⁶ Third, the Bank team leveraged publicly available personnel data for HLCS in Romania, published by the NACS. To compensate for the gaps in available data, the Bank team reviewed (i) the Prime Minister's decisions regarding the appointments and releases of SG since 2021, as published in the Official Gazette of Romania – a total of 442 decisions, and (ii) the publicly available CVs of jobholders in this period – a total of 66 CVs. This data was used to identify appointment instruments, jobholder background, duration of mandates, correlation with political leadership changes, and career trajectories.²⁷

²²OECD-SIGMA. 2024. Top Public Management Toolkit. OECD Publishing. <https://www.sigmaweb.org/publications/top-public-management-toolkit.htm>.

²³ Ibidem.

²⁴ See Annex 3 of this report.

²⁵ See Annex 2 of this report.

²⁶ Deliverables produced under Milestone 418 can be accessed here: <https://www.anfp.gov.ro/proiecte/proiecte-in-implementare/proiecte-pnrr/proiecte-pnrr-lista/identificarea-si-implementarea-unor-solutii-privind-cresterea-prestigiului-functiei-publice/>; deliverables produced under Milestone 419 can be accessed here: <https://www.anfp.gov.ro/proiecte/proiecte-in-implementare/proiecte-pnrr/proiecte-pnrr-lista/operationalizarea-cadrelor-de-competenta-din-administratia-publica-centrala/>

²⁷ See Annex 4 of this report.

- 5. The recommendations provided in the report draw from co-design work with stakeholders and direct beneficiaries.** The recommendations incorporate the findings from a series of three co-design and visioning workshops held in November 2024. These were co-led by the Bank and the NACS teams and were attended by more than forty stakeholders from the public and private sector, non-governmental organizations and DSGs and DGs from the central public administration. Each of the three workshops achieved a specific objective, namely (i) describing the profiles of HLCS, anchored in the current and future needs of public administration, (ii) identifying and validating key competencies in relation to these profiles, and, respectively, (iii) defining the architecture of a L&D product that could support the development of the identified competencies.²⁸
- 6. The report is structured into six parts, which set out the framework for analysis, the need for improvements to the HLCS, and recommendations for a new HLCs operating model.** The deliverable is structured as follows:
- Chapter 2 provides an overview of the HLCS system in Romania, in terms of scope, roles, and personnel characteristics. It highlights the systemic governance issues in Romania linked to an ineffective HLCS, and summarizes ongoing HRM reforms which aim to improve the HLCS.
 - Chapter 3 describes the OECD- SIGMA analytical framework for assessing SCS systems, and summarizes international experience in OECD countries on establishing, managing, and reforming SCS systems.
 - Chapter 4 includes the assessment of the HLCS system in Romania, against the dimensions of SCS effectiveness identified by the OECD- SIGMA analytical framework.
 - Chapter 5 identifies and describes a first set of options for improving the HLCS framework through proposed structural changes, as well as the direction of reform for a new operating model for the HLCS. The chapter also includes a second set of options for improving the current HLCS framework, through specific recommendations that enable the operationalization of ongoing HRM reforms in order to enhance its current functioning and, subsequently, prepare it for the envisaged transformation.
 - The Annexes contain in-depth case studies, analysis, and technical input which substantiate and complement the assessment and recommendations. Annex 1 provides the operational procedures linked to the proposed set of operational improvements for the ongoing and upcoming HRM reforms for the HLCS. Annex 2 provides the complete analysis of the regulatory framework governing the HLCS and provides specific technical input to improve its clarity and application. Annex 3 includes an in-depth case study of the ongoing reform of the SCS in France. Annex 4 includes the detailed methodology and findings from the analysis of appointment decisions and CVs of SGs.

²⁸ See Deliverable 1 of this RAS, namely Annex 4 for the detailed description of the process for the three workshops and Annex 5 for the resulting profiles and required competencies for HLCS.

2. Overview of the HLCS system in Romania

2.1 HLCS mandates, responsibilities, and effectiveness

7. High-level civil servants in Romania are the most senior level of civil servants responsible for ensuring the strategic direction, managerial continuity and operational functioning of organizations in public administration at both central and territorial levels.²⁹ Their roles involve exercising public authority at the management level, with appointments and other employment decisions made by the prime minister. There are four HLCS categories:

- (i) Secretaries General and Deputy Secretaries General of central public authorities, who ensure and are responsible for organizational development, oversee and are accountable for administrative, legal operational functions, and liaise between politically appointed officials and institutional operations;
- (ii) Secretaries General of the Prefect's institution in Romania's counties, who support prefects in governance and administrative coordination;
- (iii) State Inspector General of the Labor Inspectorate, a unique position overseeing labor regulations; and
- (iv) Government Inspectors, who, in nearly all cases, are former permanent SG/DSG from the same categories who have not been reappointed into a specific HLCS position but have been invested through mobility among HLCS and, *de jure*, have responsibilities for coordinating EU-related projects and institutional development, while, *de facto*, are generally inactive.³⁰

Prefects and sub-prefects were initially part of the HLCS category (as of 2004 reforms), but a 2021 legal change reclassified them from civil servants into political appointees.³¹ This removal of prefects from the HLCS category exemplifies how the legal definition of HLCS has shifted, reflecting changes in the political-administrative boundary.

8. A particular type of high-level civil service position is the parliamentary HLCS position. It should be noted that parliamentary high-level civil service positions are defined in Law No 7/2006, not in the Administrative Code, and they comprise the following positions within the Chamber of Deputies and the Senate: secretary general, deputy secretary general, and head of department or director general, as

²⁹ An in-depth analysis of the status quo and challenges in the senior civil service in Romania will be provided in the upcoming Deliverable 4 of this RAS.

³⁰ See Deliverable 1 developed under the RAS on Developing a Unitary Human Resources Management System Within the Public Administration, signed between the World Bank and the NACS, and based on information from interviews conducted under this RAS.

³¹ GEO No. 4/2021 amending and supplementing GEO No. 57/2019 on the Administrative Code.

the case may be.³² Although the Administrative Code does not define the parliamentary high-level civil service positions, it does reference this notion in the context of setting out exceptions to the rules it provides on filling high-level civil service positions and on the appraisal of the individual professional performance of HLCS. This analysis does not include the legal provisions that regulate parliamentary high-level civil service positions, due to the limited scope of this type of high-level civil service position.

2.1.1 Central level HLCS positions

9. The Secretary General (SG) of a ministry is the top civil servant managing the ministry's day-to-day functions. The Administrative Code classifies the SG in the central public administration as HLCS and therefore subjects them to the career regime that governs this category of civil servants. By statute, the SG is a politically neutral, career official whose primary function is to ensure institutional continuity. Their roles are defined by law and include administrative coordination, strategic policy and regulatory cycle management, operational continuity and delegated activities, oversight of internal control and compliance. Specifically:

- **Administrative coordination:**³³ coordinates the ministry's functional departments and activities and ensuring an operative link between the minister and all the ministry's subordinate structures. The SG ensures that the minister's orders and policies are communicated and implemented throughout the ministry and its agencies.
- **Policy and legislative process:** manages the internal process for drafting and endorsing laws, regulations and policy documents. For example, the SG circulates draft acts initiated by the ministry to other ministries for approval and ensures the ministry endorse drafts from other initiators. They also oversee the final approval and publication procedures for Government acts initiated by the ministry. Moreover, the SG is usually appointed by the minister to coordinate the design, monitoring and reporting of the Institutional Strategic Plans.³⁴
- **Operational continuity and delegated authority:** guarantees continuity of leadership in the institution across political cycles. By exception, if the Minister's post is vacant or the minister is unable to act, the SG can serve as the interim legal representative and main credit officer of the ministry. This legal provision empowers the SG to keep the institution running and finances managed in the absence of political leadership.

³² According to Article 7(1) and Article 19(1) of Law No 7/2006, and to Section I point 1 of the Annex to Law No 7/2006.

³³ Implicit in Art. 61 & Art. 66 GEO 57/2019 (generic managerial duties for SGs and all heads of structures, applied mutatis mutandis to SGs). See Annex 4.

³⁴ Annex 1 of GD 427/2022 on Institutional Strategic Plans give SGs (or to other management positions nominated by the minister) formal responsibility for coordinating the drafting of ISPs and of liaising with the General Secretariat of the Government.

- **Oversight of internal control and compliance:** monitors the preparation of mandatory reports and ensuring they are completed as required by law. From this position they usually chair or supervise the Monitoring Commission for the Internal Managerial Control System (IMCS).³⁵ Also, SG supervise the implementation of personnel policies and the observance of implementation of HR management principles within the ministry as defined by the AC.
- **Oversight of corporate governance rules for state-owned enterprises (SOE):**³⁶ the SG can act as representatives of the state to embed strategic direction and accountability within SOEs. SG ensures that SOEs operate in alignment with national public policies and priorities by (i) developing formal Letters of Expectations outlining strategic objectives for the SOE; (ii) ensuring a transparent and merit-based selection and appointment of board members, (iii) approving key performance indicators (KPIs) embedded in mandate contracts; and (iv) monitoring the performance of the SOE's board and executive management against these agreed targets.

10. The Deputy Secretary General (DSG) role *de facto* mirrors that of the SG, but the Administrative Code does not define it explicitly. The AC allows the appointment of one or more DSGs in ministries and central agencies and institutions. While their legal status mirrors that of SGs and by law should “carry out specific duties as assigned by the minister”, the DSGs are often assigned oversight responsibilities over thematic portfolios or particular ministry functions, depending on ministerial needs and to substitute or complement the SG portfolios.³⁷ Operationally, they may oversee certain departments or projects, thereby sharing the workload of managing a large ministry.

2.1.2 Territorial HLCS categories

11. The Secretary General of the Prefect's Institution (SGPI) role is the top career civil servant at the territorial level and is expected to oversee the administrative functioning of the Prefect's Institution. The SGPI role was introduced as a HLCS categories in 2021, after the Prefect and Sub-prefect jobs were reclassified as political appointees.³⁸ Currently, the SGPI role is governed by the same legal regime as central-level HLCS. The specific responsibilities of the SGPI are not yet legally defined,³⁹ but the AC empowers the SGPI to exercise all internal management prerogatives delegated by the Prefect and to sign as acting main credit officer when both Prefect and Sub-prefect posts are vacant. Broadly, by analogy with central-level SG, the SGPI is responsible for:

³⁵ SGG Order 600/2018, Art. 1(3) designates “the head of the entity” (i.e., minister or SG by delegation) to lead SCIM implementation.

³⁶ According to GEO No. 109/2011 of 30 November 2011 on the corporate governance of state-owned enterprises, as subsequently amended and supplemented, and GD No. 722/2016 of 28 September 2016 approving the methodological norms for the application of certain provisions of GEO No. 109/2011 on the corporate governance of state-owned enterprises.

³⁷ Based on interviews and stakeholder workshops conducted under this RAS.

³⁸ Emergency Ordinance GEO 4/2021.

³⁹ Emergency Ordinance GEO 4/2021 stipulates that detailed responsibilities shall be fixed by Government Decision.

- **Administrative Leadership:** Overseeing the internal departments of the Prefect's Institution (such as legal, economic, human resources departments) and ensuring their proper functioning on a daily basis. The SGPI organizes the prefecture's staffing and workflows so that the Prefect's directives are implemented efficiently.
- **Continuity and Coordination:** Providing operational continuity during transitions, when the Prefect or Sub-prefect is replaced (or if both positions are vacant).⁴⁰ The SGPI is also expected to serve as the technical advisor to the Prefect and Sub-prefect.
- **Legality oversight:** Ensuring uninterrupted review of local authority acts and issuance of administrative permits.

12. Government Inspectors are high-level civil servants who operate on behalf of the Government, typically through the General Secretariat of the Government (GSG), at the central or territorial level. The GI category was established as part of civil service reforms implemented in preparation for EU accession (2006–2007), with the aim of introducing an elite flexible cadre of civil servants. In practice, many government inspectors are former Prefects, Sub-prefects, or ministry SG who were moved into these positions. GI are part of the HLCS by law, appointed by Prime Minister's decision. The same HRM regime applies to GI as for SG/DSG. However, as described in Annex 4, all serving GI have been appointed through mobility or temporary promotion, and never through recruitment. Unlike SG, GI have no territorially or functionally bounded remit, but instead “carry out assignments ordered by the Prime Minister or the GSG”. They are required to submit activity reports within 15 days of completion but without any guidance on standard deliverables or evaluation criteria.⁴¹ GI do not have a standard, ongoing set of executive duties tied to a single institution. Instead, their responsibilities are generally defined per assignment. According to their formally defined mandate, the primary duties of GI are to “to coordinate complex activities, projects or programs related to Romania's status as a member state of the European Union, as well as the strategic priorities for the development of administrative and institutional capacity” and “to be at the disposal of the Prime Minister or Secretary General of the Government”.⁴² Consequently, the GI responsibilities remain ambiguous and can vary significantly.

2.1.3 Other senior management roles in the civil service outside the HLCS Category

13. Directors General (DG) in the central public administration constitute the backbone of ministerial line management despite not belonging to the HLCS. At the central level, DGs typically report to political appointees, such as state secretaries, overseeing specific public policy areas. In many cases, DGs occupying administrative and operational roles are directly subordinated to HLCS. Key responsibilities of DGs consist of strategic management and policy implementation in their respective areas of policy and managing substantial financial and human resources. DGs are classified as

⁴⁰ GEO 4/2021

⁴¹ SGG Order 48/2007.

⁴² Ibidem.

“management-level civil servants”, together with line managers in the civil service (i.e., “*șef serviciu*” and their equivalent), with whom they share a subset of competency requirements as per the applicable general competency framework. However, previous Bank analysis have found large overlaps between (deputy)⁴³ DG and HLCS roles in terms of the nature of the work, job responsibilities, competency requirements and job complexity,⁴⁴ thereby prompting recommendations to formally treat and classify DG roles as high-level civil service positions.⁴⁵

- 14. Executive Directors at territorial and local level conduct this strategic management function for deconcentrated public services of ministries and other specialized institutions in the central public administration and for the local public administration.** Executive directors act as the institutional leaders of specialized departments, i.e., public health, social assistance, urban planning, agriculture, within both county councils and de-concentrated state agencies.⁴⁶ Executive directors manage budgets often exceeding RON 150 million (EUR 30 million) and coordinate, on average, 240 staff members.⁴⁷ Executive directors often are responsible for front-line service delivery, including on child protection case management, and hospital infection control. Interviews and workshops with stakeholders equated the complexity of these roles, e.g., during pandemic response or flood emergencies, to that faced by SGPI.

2.1.4 Descriptive statistics on HLCS numbers, distribution, and profiles

- 15. In 2024, the HLCS consisted of 166 positions across the central and territorial public administration, with only 18 percent occupied on a permanent basis (see Table 2).** The NACS collects and reports, on a yearly basis, personnel data for HLCS, albeit for a limited number of indicators. For 2024, the NACS reported 166 statutory HLCS positions in the central and territorial public administration, of which 133 were filled (approximately 80 percent overall occupancy rate). Only 18 percent of positions were occupied on a permanent basis, i.e., through the complete recruitment, selection, and appointment process, whereas 63 percent of positions were occupied through temporary appointments, and 19 percent were vacant. The HLCS, therefore, is composed mainly of temporary occupants, appointed by the respective institution’s political leadership.

⁴³ There is no functional distinction between deputy DGs and DGs, per the Administrative Code.

⁴⁴ For instance, SG and DSG roles are primarily concerned with the overall functioning, coordination, and supervision of public authorities/institutions, regardless of the policy direction set by politically appointed decision-makers. Similarly, the roles and responsibilities of DG and deputy DG civil servant positions are focused on policy development, implementation, monitoring, evaluation, and service delivery, but exclusively on their policy area of responsibility, as directed by political decision-makers, under the direct authority of their corresponding politically appointed dignitaries and process coordination of the HLCS.

⁴⁵ Based on a comparative analysis of regulations of organization and functioning, job descriptions, interviews and focus-groups organized by the Bank team in April-June 2019 and as reflected in the World Bank. 2020. Deliverable 3: Report on competencies and jobs in the Romanian public administration of the RAS on Developing a Unitary Human Resources Management System Within the Public Administration.

⁴⁶ Articles 390 (let e), f) of the Administrative Code.

⁴⁷ Based on an analysis of a sample of rules of organization and functioning of county councils.

Table 2. Summary descriptives of HLCS in the central and territorial public administration, 2024

HLCS category	Permanent appointment	Temporary appointment	Vacant positions	Total	Share of temporary appointment	Vacancy rate	Ratio to civil service population (central and territorial) ⁴⁸
SG/DSG	9	74	18	101	73%	18%	1/781
SGPI	1	28	13	42	67%	31%	1/1,858
GI	19	1	3	23	4%	13%	1/3,396
Total	29	103	34	166*	62%	20%	1/470

Source: National Agency for Civil Servants. 2024. Report on the management of the civil service and civil servants. Available at <https://www.anfp.gov.ro/media/z32ptoe1/raport-privind-managementul-func%C8%9Biei-%C8%99i-func%C8%9Bionarilor-publici-2024.pdf>.

Notes: Discrepancy reflects one post converted during the reporting period.

16. Desk research of publicly available information revealed a high degree of instability in HLCS positions, political cyclicality, and a large mismatch between occupant profile and HLCS job requirements, specifically in SG and DSG roles in line ministries. To compensate for the lack of comprehensive and multi annual personnel data on HLCS job holders, the Bank team analyzed the Prime Minister’s decisions regarding the appointments and releases of SG and DSG in line ministries published in the Official Gazette of Romania between January 1, 2021, to May 31, 2025. A total of 442 decisions were identified, comprising 358 appointment decisions and 84 release decisions. Where possible, this analysis was complemented by a review of publicly available CV of job holders. The analysis concludes the following:⁴⁹

- No appointment was made based on an open competition in this period; temporary appointment has become the most frequently used method for appointing SG and DSG.
- Political leaders generally use the instrument of temporary appointments to temporarily promote execution-level civil servants, without management responsibilities, into SG and DSG roles: out of

⁴⁸ A more accurate comparison would be between HLCS and total number of staff mapped to the central and territorial public administration, which is expected to result in a significantly lower ratio of HLCS to staff; however, the data is not available. Available data shows that, in 2024, the central and territorial level civil service population was 78,066, the total civil service population (central, territorial, and local) was 176,400 and, the population of all personnel classified as “public administration” under Annex 8 of the Pay Law 153/2017 was approx. 302,000. See National Agency for Civil Servants. 2024. Report on the management of the civil service and civil servants. Available at <https://www.anfp.gov.ro/media/z32ptoe1/raport-privind-managementul-func%C8%9Biei-%C8%99i-func%C8%9Bionarilor-publici-2024.pdf>.

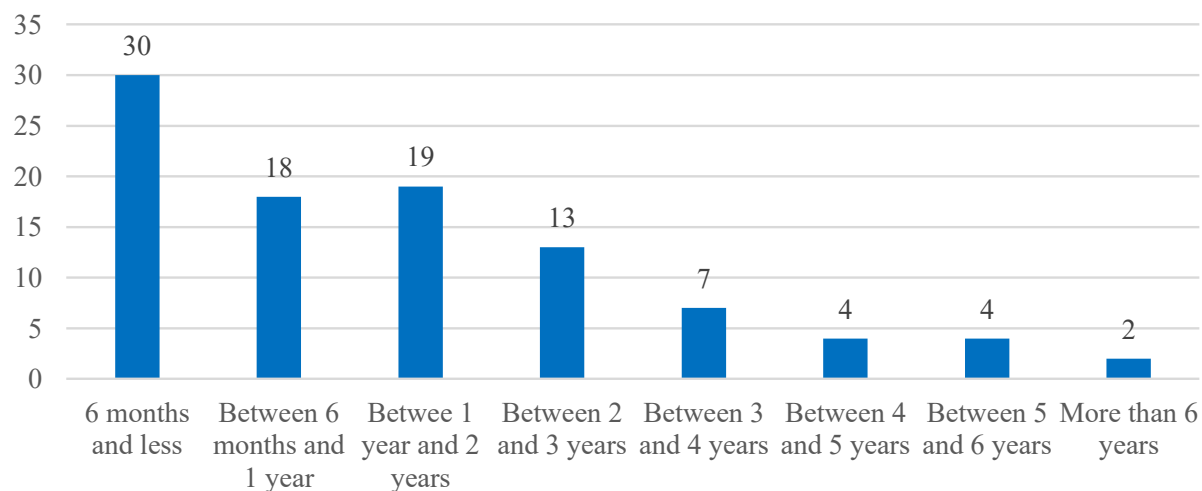
⁴⁹ The detailed analysis and methodological explanations are provided in Annex 4.

78 temporary appointments into SG roles, 33 were temporarily promoted from superior counsellor jobs.

- Stability in these roles was compromised by their short mandates, with almost half of the appointments made during this period being less than one year (see Figure 1).

The instability is exacerbated by a high turnover of job holders following government reshuffle: out of 97 appointed SG, approximately 30 percent (29) were terminated upon the appointment of new ministers, whether from the same political party or a different one. Alternatively, some SG temporary appointments lasted longer than four years. Additionally, in many cases, SG and DSG *de facto* rotate across institutions in HLCS roles: out of the 66 CVs analyzed for SG job holders, around 55 percent had previously held SG or DSG positions.

Figure 1. Duration of appointments into SG roles



Source: Authors' elaboration based on the analysis of the Prime Minister's Decisions published in the Official Gazette of Romania between January 1, 2021, and May 31, 2025, and the analysis of the CVs identified online.

2.2 HLCS as a driver of governmental (under)performance

17. The performance of HLCS represents a cornerstone for the functioning of the Romanian public administration. Conceived as the professional and politically neutral backbone of the state, HLCS are expected to guarantee continuity, legality, and managerial stability across institutions and electoral cycles. As detailed in Chapter 4 below, HLCS have a critical role in capacitating, managing, and coordinating public administration institutions to achieve their institutional objectives. In many cases, they are assigned direct responsibilities for overseeing the planning, and delivery of results in specific

policy areas. However, previous analysis by the World Bank,⁵⁰ OECD,⁵¹ and GoR⁵² have shown that the legal and institutional framework for HLCS is ineffective. As a result, the HLCS in Romania is unstable, politicized, fragmented, and less effective than expected and required.

18. The overall quality of Romania's public sector leadership remains below EU and OECD levels, highlighting persistent structural weaknesses (Figure 2). Per the Blavatnik Index of Public Administration,⁵³ the Strategy & Leadership domain evaluates how effective the civil service leadership is in setting strategic direction, steering public institutions, upholding core values, and fostering cooperation among public officials. Romania's performance measured through this index highlights significant capacity gaps in its HLCS. For instance, the largest deficits are in Strategic Capacity and Cross-Government Collaboration, suggesting that Romania's HLCS struggle to set long-term priorities, align institutions to evolving challenges, and provide coherent policies under a whole-of-government approach. These findings are consistent and robust with the 2024 Transformation Index, which highlights that low capacity in Romanian's public administration in strategic planning and implementation and in resource management, coupled with low quality and inconsistency of policymaking, is a major driver of the state's inability to produce public value for citizens (Figure 3).

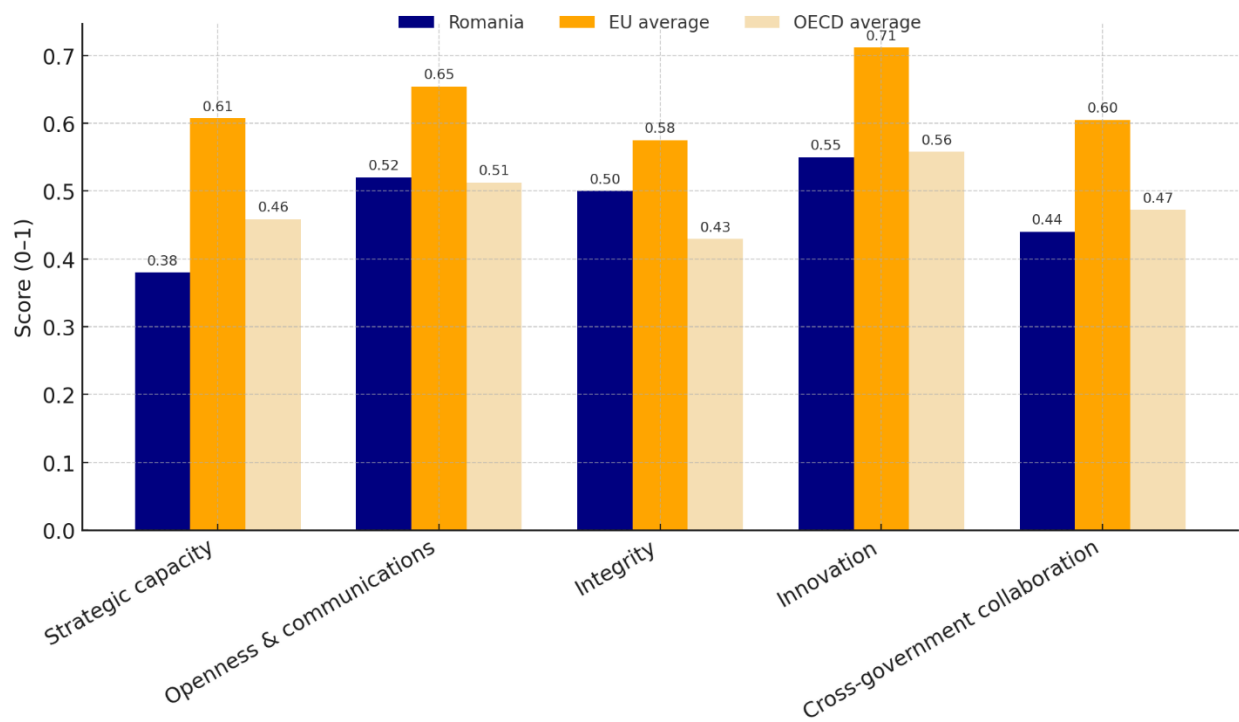
⁵⁰ World Bank. 2019. Deliverable 1.1: Baseline Review of the National Framework for HRM and its Institutionalization. Developed under the RAS on Developing a Unitary Human Resources Management System Within the Public Administration. Accessible here: <https://documents.worldbank.org/>

⁵¹ OECD. 2023. Coherence and co-ordination at the Centre of Government in Romania. Available at https://www.oecd.org/content/dam/oecd/en/publications/reports/2023/07/coherence-and-co-ordination-at-the-centre-of-government-in-romania_ea2bb794/

⁵² NACS. 2023. Study on the current situation of the career of civil servants in public administration, with the formulation of recommendations and strengthening the role of the ethics advisor. Available at <https://www.anfp.gov.ro/proiecte/proiecte-in-implementare/proiecte-pnrr/proiecte-pnrr-lista/identificarea-si-implementarea-unor-solutii-privind-cresterea-prestigiului-functiei-publice/#sec1>.

⁵³ Blavatnik Index of Public Administration is a global comparative assessment tool for national public administrations and civil services, designed by the Blavatnik School of Government (University of Oxford). It provides data on the performance and characteristics of administrative structures in 120 countries. The main purpose of the Index is to enable comparisons between countries in terms of strengths and weaknesses, as well as the capacity and performance of public administrations to deliver value for citizens. Its general methodology is based on 82 indicators drawn from 17 different international sources (international institutions, academic research, civil society organizations). These indicators are measured, standardized on a 0–1 scale (where 0 corresponds to the minimum observed score and 1 to the maximum), and then aggregated in a multi-level model. After harmonizing the scales, the simple average of the components defines the scores. No complex weighting or missing-data imputations are applied. The assessment covers four major domains that reflect different dimensions of public administration: strategy and leadership, public policy, public services, and human resources and processes. Each domain includes several concrete themes (up to 20 defined in the conceptual framework), such as integrity, innovation, data use, regulation, crisis management, personnel policies, and others.

Figure 2. Comparison of Romania’s public administration performance on strategy and leadership, relative to the EU and OECD average, as measured by the Blavatnik Index of Public Administration, 2024



Source: Blavatnik School of Government. 2024. Blavatnik Index of Public Administration. University of Oxford. Available at <https://index.bsg.ox.ac.uk>.

Note: EU and OECD averages are calculated from the Blavatnik Index country scores (2024) by taking the simple mean of member states with available data for each theme. These benchmarks are analytical constructs, and coverage varies by theme.

Figure 3. Overview of Bertelsmann Stiftung's Transformation Index for Romania, 2024

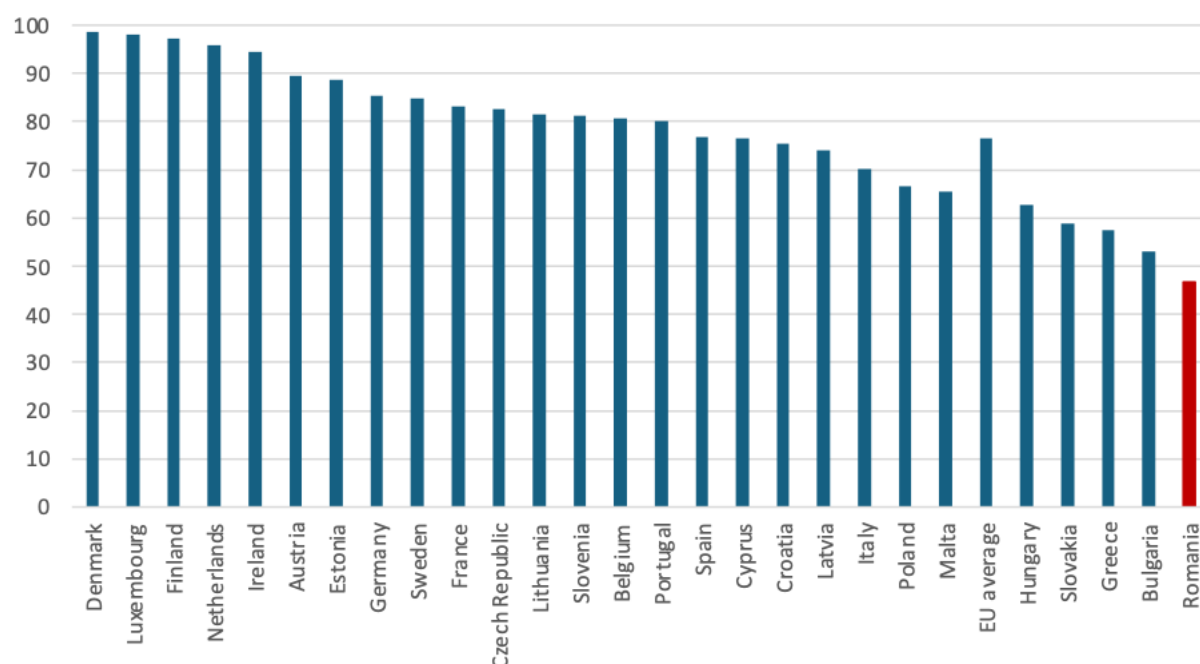


Source: Bertelsmann Stiftung. 2024. BTI 2024 Country Report: Romania. Gütersloh: Bertelsmann Stiftung. Available at <https://bti-project.org/en/reports/country-report/ROU#pos9>.

Notes: International cooperation, consensus-building, resource efficiency, and steering capability are dimensions of governance effectiveness.

19. The low performance of the HLCS directly affects the state’s ability to implement reforms, deliver high-quality public services, and sustain citizens’ trust in government. According to the Worldwide Governance Indicators (WGI) of the World Bank,⁵⁴ Romania consistently ranks at the bottom among European Union member states in terms of government effectiveness (see Figure 4 below) and regulatory quality (Figure 5).⁵⁵ These indicators reflect the professionalism and effectiveness of the civil service, the quality of policy formulation and implementation, as well as the credibility of government commitments to pursue consistent policies. Romania’s score highlights persistent structural weaknesses in areas of the public administration which are a core part of the HLCS mandate and responsibilities.

Figure 4. Government effectiveness indicator in EU Member States in 2023, expressed as Percentile Rank (0-100)

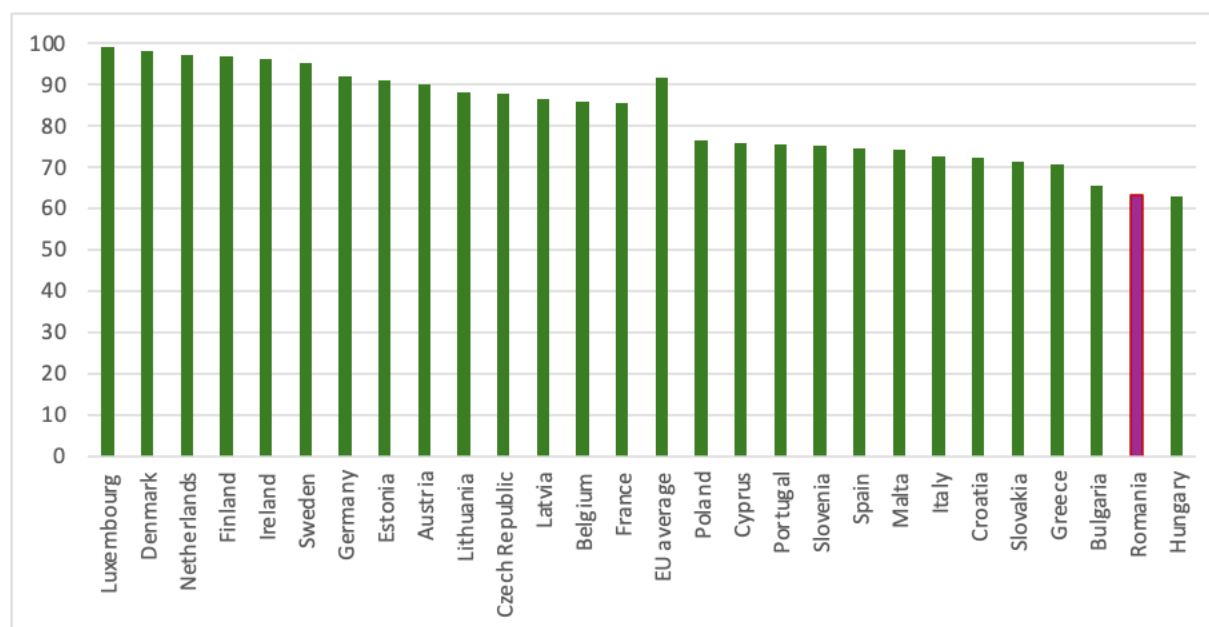


Source: World Bank. 2024. Worldwide Governance Indicators, 2024 Update. Available at www.govindicators.org.

⁵⁴ The Worldwide Governance Indicators (WGI), developed by the World Bank, are a set of six composite indicators that measure the quality of governance in more than 200 countries, based on dozens of external sources (surveys, expert assessments, and data from international organizations). The general methodology consists of statistically aggregating perceptions from multiple independent sources, standardizing them on a common scale, and combining them using factor analysis techniques to produce scores that are comparable across countries and over time, accompanied by confidence intervals that reflect the uncertainty of the estimates. The six dimensions evaluated are: Voice and Accountability, Political Stability and Absence of Violence/Terrorism, Government Effectiveness, Regulatory Quality, Rule of Law, and Control of Corruption. Together, they provide a comprehensive framework for understanding institutional performance and the governance environment at the national level.

⁵⁵ See the data from the Worldwide Governance Indicators (WGI) of the World Bank, accessible at: <https://www.worldbank.org/en/publication/worldwide-governance-indicators/interactive-data-access>. For details on the government effectiveness indicator, see the methodological sheet available at: <https://www.worldbank.org/content/dam/sites/govindicators/doc/ge.pdf>.

Figure 5. Regulatory quality indicator in EU Member States in 2023, expressed as Percentile Rank (0-100)



Source: World Bank. 2024. Worldwide Governance Indicators, 2024 Update. Available at www.govindicators.org.

2.3 Inventory of ongoing reforms for the HLCS system

20. Romania has committed to a number of parallel reforms for the HLCS as part of its National Recovery and Resilience Plan (NRRP). The NRRP outlines four key milestones related to HLCS under the responsibility of the National Agency of Civil Servants (NACS).⁵⁶ Two of these focus on improving the recruitment process for HLCS through the national competition for civil servants, while the other two aim to promote meritocracy, ensure coherent human resources management across public administration, and embed the competency framework in the HRM for HLCS. Table 3 summarizes the ongoing changes to the HLCS as part of these reforms.

⁵⁶ These are Milestone 419 – Operational competency frameworks in the central public administration; Milestone 418 – Entry into force of two legislative acts on human resource management (updated as Milestone 418 – Entry into force of the legal acts for adopting merit-based and competency-based human resource management frameworks in the central public administration, updated in accordance with Council Implementing Decision No. 14452/25 of 13.11.2025); Milestone 416 – Ex-post analysis of the national (pilot) competition for selecting two categories of public positions in the central administration; and Milestone 417 – Annual completion of at least two national recruitment competitions for public servants for at least three categories/grades of public positions.

Table 3. Summary of ongoing reforms and commitments for the HLCS

Proposed reform	Current issues, determining the need for reform ⁵⁷	Main proposed changes	Main strategic implications envisaged
The transition from a career-based to a mandate-based system for the management of the HLCS	HLCS appointment rules are too rigid (albeit almost never applied), and individual performance is strenuously linked to HLCS career. Mobility and change in positions are rare, which limits leadership renewal and adaptability.	- Introduction of fixed-term mandates of 3 years for most HLCS positions, renewable once. - After the end of the mandate, an HLCS remains within the HLCS body, but must undergo mandatory job rotation (<i>see the next reform presented</i>). - In addition to annual evaluations, there will be a multi-annual performance evaluation at the end of each mandate. - Renewal of the mandate or job rotation depends on this evaluation outcome.	Encouragement of performance orientation and accountability. Limitation of the risks of stagnation or the entrenchment of power in single individuals or networks. Prevention of conflicts of interest and reduction of the risks associated with long-term tenure in a single institution.
The introduction of a mandatory horizontal mobility of HLCS through job rotation	Mobility in the HLCS has been discretionary, and used only for punitive purposes.	- Job rotation becomes mandatory at the end of the mandate (unless already transferred/promoted). - A national rotation plan will be adopted and coordinated by the NACS - A central committee evaluates preferences and assigns positions based on multi-annual evaluation results and interviews (if necessary). - Job rotation can be refused for reasons such as pregnancy, single parenthood, health issues, or strong family grounds. However,	Harmonization with EU standards on leadership development and mobility.

⁵⁷ As explained in the substantiation note of the legislative proposals.

		refusal without justification leads to dismissal from the position. - The process for the rotation includes the following steps: (i) HLCS express options on a digital platform; (ii) candidates are ranked by score and may undergo an interview if competition arises for the same post.	
The use of competencies for the performance evaluation for all civil servants, including HLCS	Performance evaluations for civil servants, including HLCS, have often been generic, lacking clear links to actual competencies or results. The Administrative Code regulates explicitly a competence-based approach for all HRM processes, including performance evaluations	The performance evaluation is complemented with an additional component, transitioning from an evaluation model based solely on objectives to one that integrates both competencies and objectives across all categories of civil servants, including HLCS. The structure responsible for conducting performance evaluations for HLCS remains the evaluation commission established at the level of the General Secretariat of the Government. Annual evaluations will be based on the following components: - Clearly defined objectives and performance indicators (both quantitative and qualitative); - Behavioral descriptors associated with general competencies (e.g., strategic thinking, accountability, resource management); - Behavioral descriptors linked to specific competencies, as outlined in the standardized job description (<i>fișa postului</i>).	Promotion of a shift of the civil service culture toward meritocracy and evidence-based HR management. Encouragement of leadership accountability and professional growth. Encouragement of an alignment between individual performance and institutional strategy.

		All objectives, performance indicators, and competency evaluations are established by: (a) the head of the public authority or institution to which the HLCS position is assigned in the official staffing structure; (b) the minister coordinating the Prefect's Office; or (c) the Secretary General of the Government, depending on the type of HLCS position being evaluated. These elements must align with the standardized job descriptions and competency frameworks defined for each position. The multi-annual evaluation, conducted at the end of each mandate, will take into account: - The management plan, which must include a minimum of eight strategic objectives and the assessment of the degree to which objectives aligned with institutional goals have been achieved - The average score of the annual evaluations conducted over the mandate period; - The development of specific competencies, participation in international initiatives, and other significant contributions as reflected in the HLCS activity report.	
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Source: Authors' elaboration.

3. International experience on drivers of SCS effectiveness

- 21. Senior civil servants (SCS) are defined as the top tier of public sector managers who hold strategic responsibility for leading public institutions and implementing government priorities.** Their role is situated at the intersection of political leadership and administrative continuity, requiring both neutrality and political awareness. These officials are distinguished by their formal authority over people, budgets, and institutional outcomes. They are responsible not only for advising on policy but also for overseeing the delivery of public services, ensuring operational coherence, and upholding administrative integrity. Senior civil servants are expected to serve successive governments impartially while maintaining the capacity to translate political directives into effective implementation. This dual responsibility makes their appointment, tenure, and accountability particularly sensitive and in need of structured governance. The specific positions included under the senior civil service vary across countries, but typically encompass roles such as secretaries general, directors general, and heads of major departments or agencies.
- 22. An effective SCS rests on a fit-for-purpose and functional operating model.** The analytical toolkit for assessing SCS developed by the OECD-SIGMA identifies eight core elements that constitute the SCS operating model;⁵⁸ these elements differ across country contexts, but the effectiveness of SCS depends on the degree to which these elements operate coherently to enable and incentivize the SCS to support governments to achieve their strategic objectives. Table 4 summarizes these elements. The rest of the chapter summarizes international practices as seen in the OECD-SIGMA toolkit, and based on a literature review and interviews with practitioners.

Table 4. OECD- SIGMA dimensions of analysis

Dimensions of analysis	Importance to SCS effectiveness
1. Scope and Legal Status	Defines who qualifies as a senior civil servant by establishing a clear legal and institutional framework that distinguishes these roles from political appointees or lower-level staff. This clarity ensures that public leadership positions are governed by merit-based rules and professional standards.
2. Duration of Appointment	Examines how tenure is structured, focusing on the use of fixed-term contracts, renewal procedures, and the alignment of terms with political cycles to promote stability and leadership continuity.
3. Recruitment, Selection, and Appointment	Emphasizes transparent, competitive, and merit-based selection processes using competency frameworks and structured assessment methods to attract and appoint capable, impartial leaders.
4. Termination of Appointment	Outlines legal and procedural safeguards for ending appointments, including grounds for dismissal, performance-related non-renewal,

⁵⁸ OECD-SIGMA. 2024. Top Public Management Toolkit. OECD Publishing. <https://www.sigmaweb.org/publications/top-public-management-toolkit.htm>

	and appeal mechanisms to ensure fairness and protect managerial integrity.
5. Remuneration	Reviews how salary systems are designed to reflect responsibility, attract qualified professionals, and ensure transparency, while also enabling governments to compete with private sector opportunities.
6. Performance Management	Focuses on setting and evaluating objectives tied to institutional goals, linking individual performance to contract renewal, leadership development, and public value delivery.
7. Mobility and Career Development	Covers structured mobility policies, career pathways, and leadership development programs that support competency development, institutional learning, and cross-government collaboration.
8. System Governance	Addresses how the SCS system is coordinated and overseen through dedicated bodies, policy frameworks, and data infrastructure to ensure coherence, accountability, and long-term sustainability.

Source: OECD-SIGMA. 2024. Top Public Management Toolkit: Scope and legal status (Booklet 1). OECD Publishing

3.1 Scope and legal status

23. Effective public governance hinges on the caliber and role clarity of the SCS. A proficient SCS management framework defines top public managers as strategic actors situated between elected officials and career civil servants who are responsible for translating political directives into administrative action, overseeing service delivery, and maintaining institutional coherence across government. Unlike political appointees, they are expected to maintain impartiality and continuity across electoral cycles, yet unlike typical civil servants, they carry broader managerial and strategic responsibilities. SCS positions should be defined as senior roles involving significant managerial duties, typically reporting directly to ministers or political authorities. These positions are few, usually comprising less than 1 percent of ministerial staff, but wield substantial influence over policy implementation.⁵⁹ To distinguish SCS roles clearly, classifying positions based on function rather than hierarchy alone is advised. Political positions (such as ministers and their advisors) and expert roles lacking managerial duties should be excluded. Only those with substantive decision-making authority in policy execution, organizational leadership, and resource management qualify as SCS.

24. Determining the horizontal scope of a SCS system involves deciding which sectors and institutions should be included under its governance. Countries such as Belgium and Slovenia exemplify a model which situates central government ministries, ministerial agencies, and semi-autonomous regulatory bodies on a horizontal axis, where SCS spans over a hundred institutions under shared legislation.⁶⁰ More constrained models, seen in countries like Portugal and Greece, focus primarily on ministries and

⁵⁹ OECD. 2021. Government at a Glance 2021. OECD Publishing, Paris. <https://doi.org/10.1787/1c258f55-en>

⁶⁰ OECD-SIGMA. 2024. Top Public Management Toolkit: Scope and legal status (Booklet 1). OECD Publishing. <https://www.sigmaweb.org/publications/top-public-management-toolkit.htm>

exclude independent agencies.⁶¹ While narrower scopes may facilitate the management and oversight of the SCS, they risk fragmenting leadership standards and limiting the impact and the public value that the SCS can generate across the public administration. As such, the SCS in the analyzed OECD countries tend to have sizeable SCS relative to total public servants, as shown in Table 5.

Table 5. Ratio of SCS relative to population of public servants in selected OECD member states

Belgium	Estonia	Greece	Ireland	Netherlands	Portugal
1/320	1/246	1/3300 (ministries) 1/629 (agencies)	1/136 (ministries)	1/75	1/443

Source: As seen in OECD-SIGMA. 2024. Top Public Management Toolkit: Scope and legal status (Booklet 1). OECD Publishing. <https://www.sigmaweb.org/publications/top-public-management-toolkit.htm>

- 25. Generally, SCS begins at the first layer below the minister and can extend to one or two additional levels, depending on the complexity of the administration.** Vertical scope pertains to the levels within ministries and agencies that should be recognized as part of SCS. In practice, benchmark countries⁶² such as Ireland and the Netherlands recognize up to three hierarchical layers within SCS, while Estonia and Portugal typically include two.⁶³ Only positions with clear managerial mandates, such as Director Generals, Secretaries General, and Agency Heads, should be included. This ensures that SCS is focused on roles with genuine leadership responsibilities, distinct from technical specialists or advisory staff.

Box 1. The reform of the senior civil service structure in France

In 2015, France’s reform of its senior civil service system illustrated how redefining scope, legal status, and identity can enhance both the inclusiveness and strategic function of top public management. Before the reform, senior civil service in France was known as “*Haute Fonction Publique*”. This name, however, entailed a “pejorative” connotation of elitism in opposition to a meritocracy. As part of the reform process, the objective was to reinforce the notion that, with the right preparation and career, any person can access this type of civil service. With the reform, the new name of senior civil service is “*Encadrement Supérieur*” (ES), which literally translates as senior management. The reform did not only mean a change in the name; it also meant changing the definition and composition of SCS, as mentioned previously.

By restructuring its senior civil service under the new “Encadrement Supérieur” framework, France succeeded in modernizing the role and perception of public leadership, aligning it more closely with meritocratic and performance-based principles. With this new definition, the perimeter

⁶¹ OECD. 2020. Leadership for a high performing civil service: Towards senior civil service systems in OECD countries. OECD Working Papers on Public Governance, No. 40, OECD Publishing, Paris, <https://doi.org/10.1787/ed8235c8-en>.

⁶² A benchmark country refers to an OECD or EU member state whose public administration practices are used as reference models for comparison and learning.

⁶³ OECD-SIGMA. 2024. Top Public Management Toolkit: Scope and legal status (Booklet 1). OECD Publishing. <https://www.sigmaweb.org/publications/top-public-management-toolkit.htm>

of SCS also changes. Within Category A, regardless of the type of structure, another category known as A+, which is only observed and has no legal nature, refers to highly trained corps. Thus, with the reform, SCS includes individuals in Category A+, individuals with positions of responsibility regardless of their contract status, and people who, given their competences, are susceptible of joining SCS and therefore eligible to receive specific training. As a consequence:

- The reform *redefining senior civil service structure* has been implemented since 2023 (e.g., creation of the unified corps des administrateurs de l'État, new decrees and statutes to harmonize recruitment, mobility, and pay).
- There are new evaluation mechanisms in place, such as the “Parcours & Carrière” evaluations for senior executives (encadrement supérieur), which include self-evaluation, situational assessment, feedback loops, and usage of results for mobility, promotion, or renewal of appointment.

In 2023, France launched the concrete implementation of its high-level public service reform, marking a pivotal shift in the way senior civil servants are recruited, trained, and supported throughout their careers. This reform, long in development and championed by the President of the Republic, aims to modernize the entire career lifecycle of senior public executives, from entry into service to career development, by focusing on competence-based recruitment and better alignment between profiles and institutional needs. Central to this transformation is the overhaul of the initial training curriculum at the *Institut national du service public* (INSP), alongside the introduction of new selection methods for senior roles that prioritize adaptability and public value. The reform also places strong emphasis on interministerial mobility, personalized career support, and enhanced leadership accountability, reflecting a broader ambition to decompartmentalize, energize, and professionalize the upper echelons of the French civil service.

Source: Authors' elaboration based on desk research and interviews. See Annex 3 of this report.

3.2 Employment conditions and duration of appointment

26. Effective SCS systems are built on time-limited, performance-oriented contracts. Fixed-term appointments, typically lasting between 4 to 7 years, should be preferred over open-ended contracts because they promote accountability, structured turnover, and reduce the risk of politicization. Tenure arrangements for SCS significantly influence institutional performance, leadership accountability, and political-administrative balance. An effective HRM process addresses the duration of appointments, a critical dimension for structuring merit-based, responsive, and stable SCS systems. These appointments should generally exceed the length of a political cycle to avoid alignment with electoral changes and to ensure continuity of leadership. In Belgium, Portugal, and Estonia, fixed terms are applied across all top public management positions.⁶⁴ The Netherlands has institutionalized five-year terms, combined with a system of structured mobility managed by the central SCS institution. This approach encourages a whole-of-government perspective, although it has raised concerns over excessive turnover and loss of domain-specific expertise.

⁶⁴ OECD- SIGMA. 2025. Top Public Management Toolkit: Recruitment, Selection and Appointment. OECD Publishing. https://www.sigmaweb.org/content/dam/sigma/en/documents/2024/tpm-toolkit/TPM-Toolkit_03

27. Appointment renewal practices vary across OECD member states but purposeful tenure design and periodic evaluation should shape the mandate of a SCS, unlinking it from political cycles. In Belgium, extensions depend on positive performance evaluations and ministerial approval. Slovenia and Portugal allow more discretion, with decisions often tied to managerial preference or institutional needs. In contrast, Estonia and the Netherlands require a new open competition at the end of each term. While this promotes transparency and equal opportunity, it may also disrupt continuity and deter experienced managers from remaining in the system. While some countries, like Germany and France, maintain open-ended appointments for senior officials, these positions are not truly secure. Political discretion allows for dismissals when governments change, effectively turning these roles into politically contingent positions despite their formal permanence. For this reason, fixed-term appointments with clear renewal and dismissal rules can be more effective for balancing continuity with adaptability.

3.3 Acting appointments

28. Acting appointments serve an important administrative function by ensuring continuity in leadership when senior civil service positions become temporarily vacant. These situations may arise due to resignation, retirement, dismissal, or extended leave of the incumbent. While necessary, appointments must be carefully regulated to avoid undermining the integrity of a merit-based civil service. If left unchecked, they can become a mechanism for bypassing competitive recruitment or installing politically connected individuals into strategic roles.

29. Good practice involves placing clear legal limits on the duration of acting appointments and restricting the circumstances in which they may be used. For instance, in Slovenia, the legal framework permits acting appointments for a maximum of six months, with one possible extension, but only when a formal selection process is already underway. The law also requires a written justification and notification to a central oversight body. This ensures that the acting status remains temporary and does not become a *de facto* permanent placement. Eligibility for acting roles should also be clearly defined and limited to qualified civil servants. In most systems, these are individuals already holding senior positions who possess the necessary experience and rank to carry out the responsibilities of the role. In Portugal, acting appointments are restricted to individuals from the SCS and must be approved by the government based on administrative need and a clear timeframe. This helps to maintain institutional professionalism and reduces the risk of politically motivated appointments.

30. Importantly, acting appointments should not provide an automatic path to permanent roles. In France, for example, individuals serving in acting capacities are required to undergo the same competitive process as external candidates if they wish to be appointed permanently. This principle reinforces the separation between temporary operational needs and long-term career appointments, preserving fairness and transparency in public leadership selection. Overall, acting appointments should be used sparingly, transparently, and with proper oversight. Governments are advised to track the number and duration of such appointments, publish relevant data, and ensure that open recruitment

procedures are launched promptly. These measures help protect the credibility of the civil service and prevent the politicization of senior roles.

3.4 Termination of appointment

31. **Rules governing the termination of SCS must be clearly defined in law to protect against arbitrary dismissal and political interference.** At the same time, governments must retain the ability to remove or reassign underperforming managers and adapt leadership structures when necessary. Termination should follow structured evaluations linked to agreed performance objectives. Ireland uses multi-annual performance assessments as a basis for decisions on reappointment or dismissal, although outright termination is reserved for more serious cases of underperformance.
32. **To preserve professionalism and institutional stability, termination processes should include procedural safeguards such as documentation, justification, and access to appeals.** Ireland uses performance-based assessments to inform renewal decisions, while within-term dismissal is rare and subject to a high threshold of evidence. These practices show that while SCS must be accountable, effective systems create a structured and predictable environment where performance management, not politics, determines tenure. This is especially important in countries where frequent changes in government risk politicizing senior appointments.
33. **The lack of a clear distinction between performance-based and politically motivated dismissals weakens the credibility and stability of senior civil service systems, particularly during political transitions.** In environments where evaluation processes lack transparency or independent oversight, performance reviews may be misused to justify the removal of officials for political reasons. In Germany, individuals designated as “political civil servants” may be dismissed at any time without undergoing a performance-related process. As a result, terminations on the basis of performance are not applied in these cases. For other senior public managers, dismissals based on performance are extremely rare; instead, issues are typically addressed through customized transfers or alternative arrangements. This not only weakens the principle of merit but also discourages professionalism and long-term institutional commitment. To preserve fairness and accountability, dismissal procedures must be grounded in clear, objective performance criteria and protected by procedural safeguards. These include independent evaluation mechanisms, the right to appeal, documented justification for termination, and structured improvement plans before dismissal is considered.

Table 6. Political dismissal arrangements of SCS

Category	Country	Details
Not allowed in any case	Estonia	Allowed in the case of secretaries general, during the 12-month probation period.
	Ireland	Allowed in the case of secretaries general.
	Estonia	Secretaries general can be released due to the failure of co-operation with the minister; however,

Legally acceptable, with certain limitations		they cannot be dismissed during the initial co-habitation period of 6 months.
	Portugal	A SCS may be removed in a justified decision, based on the “Need to give new guidance to the management of services”.
	Slovenia	Political termination of DG of a ministry, head of a government office, secretary-general of a ministry, head of a body within a ministry, head of an administrative unit or the director of a municipal administration or municipal secretary is only acceptable during 12 months after their appointment or after the appointment of a new minister/authority.
Legally acceptable, at any time, with no need of any justification	Germany	“Political civil servants” can be released ('dismissed') by the minister without any justification

Source: As seen in OECD- SIGMA. 2025. Top Public Management Toolkit: Recruitment, Selection and Appointment. OECD Publishing. https://www.sigmaweb.org/content/dam/sigma/en/documents/2024/tpm-toolkit/TPM-Toolkit_03.

3.5 Recruitment, selection and planning

34. The effectiveness of SCS systems is strongly linked to merit-based recruitment and selection. The recruitment, selection, and appointment processes for SCS should be firmly grounded in merit-based principles. In countries where politicization risks remain high and public trust in institutions is often fragile, developing robust, professional selection procedures is both urgent and necessary. Recruitment should begin with a clearly defined job profile, anchored in a competency framework that distinguishes between general leadership skills (e.g., strategic thinking, communication, managing people) and specific technical or policy expertise. Ireland has developed a comprehensive leadership competency model that guides the entire selection process, while Estonia uses a three-dimensional model that emphasizes organizational leadership, people management, and stakeholder engagement. Vacancies should be publicly advertised and open to both internal and external candidates. This widens the talent pool and avoids internal monopolies. In Ireland, nearly all top management roles are open to external applicants. Even for internal promotions, structured competition is applied. In contrast, Germany remains an exception, where many SCS roles are filled internally and often without open advertisement.

35. Selection processes should be standardized, although in line with the complexity of the job, and based on competencies. They typically include application screening, structured interviews, and potentially written tasks or assessment centers. Portugal uses a centralized commission (CReSAP – Recruitment and Selection Committee for the Public Administration) to oversee this process, ensuring consistency and technical rigor.⁶⁵ Only shortlisted candidates meeting minimum competency thresholds

⁶⁵ OECD- SIGMA. 2025. Top Public Management Toolkit: Recruitment, Selection and Appointment. OECD Publishing. https://www.sigmaweb.org/content/dam/sigma/en/documents/2024/tpm-toolkit/TPM-Toolkit_03

are presented to the appointing authority, usually a minister. To reduce political interference, several countries have set up specialized, often independent, bodies to manage recruitment. Ireland relies on the Top-Level Appointments Committee (TLAC), which includes public officials and external experts. Portugal's CReSAP not only conducts recruitment but also advises on appointments, maintaining system integrity. In most systems, the final selection is made by a political authority, typically the minister, based on a shortlist compiled through merit-based evaluation. This maintains democratic accountability while protecting against arbitrary appointments. For example, Estonia allows ministers to choose from a shortlist but requires justification, and final decisions are subject to review.

Box 2. OECD member state practices to safeguard SCS recruitment from excessive political intervention

Minimizing political discretion in the recruitment of senior civil servants is essential to safeguarding the integrity and performance of public administration. When recruitment processes are opaque or overly influenced by political actors, institutional effectiveness can erode, leading to reduced professionalism, short-termism, and diminished public trust. To mitigate these risks, political decision-making and professional managerial selection are delinked, supported by institutional safeguards and legal standards.

Independent or semi-independent recruitment bodies could provide an effective mechanism to insulate the selection process from political interference. In Ireland, the Top Level Appointments Committee (TLAC) acts as a gatekeeper, conducting competitive assessments and presenting a shortlist of qualified candidates to the relevant minister. This structure allows ministers to exercise discretion only after a merit-based evaluation has occurred. Portugal offers a similar model through its Commission for Recruitment and Selection for Public Administration (CReSAP), which oversees recruitment procedures, verifies qualifications, and evaluates candidates using transparent criteria. These arrangements strengthen accountability while preserving the professional autonomy of the civil service. Transparent procedures and competency-based frameworks are essential components of a merit-driven recruitment system. Leading examples apply structured interviews, multi-stage assessments, and objective scoring based on pre-established job requirements and leadership competencies.

The clarity of rules and openness of process help deter informal practices and build public confidence in the appointment of SCS. Legal and procedural safeguards further reinforce professionalism and reduce opportunities for undue influence. These include mandatory documentation of selection outcomes, formal justification for deviations from recommendations, and publication of final decisions. Oversight bodies often play a crucial role in reviewing processes and outcomes, issuing audits or public reports that enhance transparency and allow for external scrutiny.

Beyond rules and institutions, political culture and leadership commitment are critical to maintaining meritocratic recruitment. Countries that have achieved stability and continuity in public leadership have paired procedural safeguards with a shared understanding of the importance of impartiality, long-term planning, and professional development at the top levels of public administration.

Source: OECD- SIGMA. 2025. Top Public Management Toolkit: Recruitment, Selection and Appointment. OECD Publishing. Available at https://www.sigmaweb.org/content/dam/sigma/en/documents/2024/tpm-toolkit/TPM-Toolkit_03

3.6 Compensation and working conditions

- 36. A transparent wage framework is a foundational element of a professional SCS.** Experience from OECD and EU country practices shows that fixed, uniformly regulated pay scales enhance trust and predictability, particularly in systems where political discretion over appointments remains a risk. For instance, Estonia publishes the salary ranges of its top civil servants, linking remuneration directly to job classification and complexity. This approach not only fosters transparency but also reinforces the legitimacy of SCS roles.
- 37. Ensuring external competitiveness in SCS pay is essential to attracting and retaining high-caliber talent within the public sector.** While public pay structures are not expected to match private sector salaries, they must reflect the level of responsibility, strategic leadership, and institutional impact associated with top public management. In Ireland, SCS pay is regularly reviewed by an independent remuneration commission, which benchmarks it against both domestic and international comparators. This helps ensure the state can recruit and retain individuals with the requisite leadership and technical competencies while maintaining fiscal discipline and public confidence.
- 38. Linking pay progression to performance must be carefully designed to strengthen accountability without undermining trust or simplicity.** Countries such as Portugal incorporate performance-based elements into pay systems, where structured evaluations influence advancement or renewal prospects. However, excessive complexity in bonus structures can reduce transparency and may lead to inequitable outcomes or politicized discretion. Performance-related pay should be limited to clearly defined parameters and based on objective, institutionally verified indicators, such as progress against strategic goals, service delivery improvements, or leadership effectiveness.⁶⁶
- 39. Fiscal sustainability and legal stability impose necessary constraints on compensation policies, particularly in fiscally constrained settings.** The experience of Slovenia illustrates how salary compression, driven by broader public sector pay restraints, can reduce the attractiveness of senior positions by narrowing the gap between leadership and technical roles. This has implications not only for motivation and retention but also for the perception of career progression across the civil service. Compensation policies for SCS must therefore be embedded in a broader HR and budgetary framework that balances market competitiveness with long-term affordability and legal consistency.

⁶⁶ See World Bank. 2024. Deliverable 5: Proposal of draft methodological guidelines for the application of performance-related pay. Developed under the Reimbursable Advisory Services Agreement on Supporting the Reform of the Public Sector Pay System (P178811) for an analysis of the challenges and practices of performance-pay in the public sector, including Romania.

- 40. Compensation strategies must be complemented by non-financial incentives that reinforce the attractiveness and integrity of senior roles.** Factors such as flexible work arrangements, mobility opportunities, access to executive training, and a merit-based culture are often equally important in shaping a positive employment value proposition. While fiscal considerations may limit the extent of monetary rewards, a well-designed system of non-financial benefits can play a critical role in supporting leadership continuity, professional development, and a sense of mission within the SCS.

3.7 Performance management

- 41. Performance management is critical to enhancing public sector credibility, accountability, and service quality.** Performance management should serve both strategic and operational purposes for SCS systems. At a strategic level, it should align managerial efforts with governmental priorities and promotes coordination across institutions. Operationally, it supports decision-making on contract renewals, career development, and training needs. Most importantly, it strengthens the link between leadership responsibilities and measurable outcomes, promoting a culture of results and public value.
- 42. SCS should work under annual or multi-year performance agreements linked to organizational performance.** These goals should reflect the ministry's strategic plan and be agreed upon jointly with a supervising authority, typically a minister or senior official. For example, in Belgium, SCS' objectives are set out in the administration's strategic and operational plans.⁶⁷ The strategic plan defines broad objectives for the duration of a legislative term, while the operational plan converts these into specific, time-bound targets for the year, providing a clear line of sight from multi-year priorities to annual delivery. In Ireland, for the performance appraisal, the top public managers, i.e., Secretaries General, agree objectives for the year ahead with the respective political ministers; progress for these objectives are reviewed twice per year. Their performance is assessed against objectives and results for their respective institution, as well as against horizontal objectives, such as civil service-wide priorities. In Estonia, newly appointed SCS receive initial objectives derived from that cascade, including baselines, targets, and data sources. Annual reviews use the same indicators to assess contribution to ministry-level outcomes, keeping a direct line of sight from organizational results to the manager's appraisal. In Portugal, SCS work to pre-agreed annual objectives that are scored against measurable criteria in a centrally guided process. Results feed directly into renewal or non-renewal decisions at term end and into development plans during the term.
- 43. Evaluation outcomes must lead to consequences on SCS.** High performance should lead to renewed contracts, additional responsibilities, or promotion. If underperformance is identified, structured improvement plans or training should be initiated. In well-established systems, termination is only considered after coaching or re-alignment efforts have failed. Performance criteria should be embedded in the employment contract or formalized in legal or administrative guidance. This provides a clear baseline for evaluation and reduces the potential for arbitrary assessments. Performance appraisal outcomes can determine whether a contract is renewed, shape decisions on mobility or promotion, highlight professional development needs, and in some systems influence remuneration. Well-designed

⁶⁷ OECD-SIGMA. 2024. Top Public Management Toolkit: Performance management (Booklet 5). OECD Publishing.

appraisal frameworks thus serve not only as accountability tools but also as levers for developing and sustaining a high-performing senior civil service.

3.8 System governance

- 44. Effective governance of the SCS requires both political backing and a clearly designated central body.** This authority needs a legal mandate, operational independence, and adequate staff and funding to lead policy design, coordinate implementation, and enforce compliance. Without such an institutional anchor, reforms risk being fragmented or reversed over time.
- 45. An effective governance structure for the SCS should set strategic objectives, draft legislation and regulations, and provide oversight for the SCS.** A central institution requires the mandate to manage and oversee HR processes for SCS such as recruitment, promotion, evaluation, and mobility. It should also provide technical advice, manage central SCS data, and coordinate training and development initiatives that help maintain a professional and merit-based senior civil service.
- 46. Governance models for SCS strike a balance between centralizing strategic functions to ensure merit and consistency, while allowing employing institutions enough autonomy to manage day-to-day HR needs for SCS.** Several OECD countries use hybrid models of SCS governance. For instance, Portugal's CReSAP centralises high-level recruitment for impartiality, while Estonia combines central oversight of merit principles with ministry-led training and performance management. Where more autonomy is granted, clear standards, transparent rules, and accountability mechanisms are essential to prevent inconsistency or political capture. Greece, Portugal, and Slovenia address this by empowering independent oversight bodies accountable to parliament or specialized councils. Centralizing sensitive SCS HR processes often helps safeguard merit and consistency in hiring, but different countries apply this principle in varied ways. Portugal's CReSAP demonstrates how an independent central body can bring openness and fairness to top-level recruitment, while hybrid models elsewhere combine central merit-based oversight with flexibility for ministries. Estonia, for example, relies on the Government Office to uphold merit rules and prevent political interference, yet delegates responsibility for training, mobility, and performance management to individual ministries.

4. Analysis of the HLCS system in Romania

47. This chapter leverage the analytical framework above to analyze the HLCS in Romania across the different dimensions of the operating model. The analysis aims to describe the gaps in the institutional, legal, and operational framework which make up the HLCS operating model in Romania. The objective is to highlight the constraints of the current operating model in the civil service and political economy ecosystem and identify the scope for potential changes to the HLCS system that can improve its functioning and, ultimately, effectiveness. To this end, the analysis draws from and adapts the analytical framework developed by the OECD-SIGMA for SCS assessments and described in Chapter 3.

4.1 Scope and legal mandate of HLCS

48. The HLCS role in terms of mandate, responsibilities, and reporting lines is inconsistently defined by the AC,⁶⁸ and allows for ambiguity and political discretion in practice. The AC does not establish and define a distinct “corps” of HLCS. Rather, it treats HLCS jobs as part of the general civil service, albeit governed by distinct HRM arrangements, despite there being no functional and administrative linkages with the other categories of civil servants.⁶⁹ Additionally, the legal responsibilities of each category of HLCS are outlined in the AC in various degrees of detail and clarity. For instance, the AC does not provide a clear distinction between the legal responsibilities of the SG and DSG. Similarly, the AC provides a detailed description of SG responsibilities, whereas the job responsibilities for DSG are to be set by the head of institution. Nevertheless, the AC delineates between the mandates of the political leadership of the public administration, to set policy direction, and that of HLCS, to translate these decisions into legally robust and operationally feasible actions.

49. In practice, these formal mandates are frequently undermined and not observed due to interim appointments and *ad hoc* political revisionism of responsibilities. Ministers generally rely on their respective cabinets for the coordination of policy objectives within their institutions, whereas SG and DSG are expected to take over day-to-day responsibilities from the institution’s political leaders and, *de facto*, substitute for them. Moreover, many SG and DSG appointments are fully decided at the political level, and materialized into temporary and discretionary appointments, as shown in Subchapter 2.1. Appointments are generally subject to political bargaining and the findings from interviews with HLCS suggest that ministers either restrict the SG/DSG mandates (in some cases, even removing all of its prerogatives and responsibilities), or expand them substantially, depending on their envisaged working relationship. This approach circumvents the due process and safeguards set out legally by the AC and has enshrined parallel administrative structures and relationships in the public administration which blur the line between political appointees and civil servants.

⁶⁸ Emergency Ordinance No. 57 of July 3, 2019, regarding the Administrative Code, with further modifications and revisions.

⁶⁹ With the exception of temporary appointments into HLCS roles, for which the appointee must be a civil servant.

50. The DG and deputy DG positions constitute the second tier of non-political management civil servants, but in practice mandates and responsibilities frequently overlap with SG/DSG.⁷⁰ At the central level, DGs most often operate under the authority of political leaders, typically state secretaries, charged with supervising specific policy portfolios. DGs with overseeing administrative, operational, or support functions report directly to HLCS. DGs hold a pivotal role in steering the strategic management of their policy domains, ensuring the effective execution of government programs, and directing significant financial and staffing resources.⁷¹ In the current framework, they are classified within the category of “management-level civil servants,” together with other line management roles (such as *șef serviciu* and equivalent positions), and are subject to the general competency framework applicable to all management-level civil servants. Yet, comparative assessments conducted by the World Bank have consistently highlighted substantial similarities between DG/deputy DG and HLCS roles with regard to mandate, scope of duties, competency requirements, and the complexity of functions performed.⁷² These findings have informed recommendations advocating the formal reclassification of DG posts as high-level civil service positions, to ensure consistency, coherence, and alignment in the management of senior leadership functions across the administration.

51. The current HLCS job classification model cannot generate a critical mass of leaders in the public sector that can ensure the delivery of results under a whole-of-government approach. The HLCS should encompass all categories of civil service senior management jobs that share comparable job responsibilities and mandates. The current job classification of the HLCS is, to a large extent, arbitrary, and does not fully capture or adequately differentiate the existing variety of non-political senior management roles in the public administration that play a critical role in generating public value to citizens. These include both generalist roles (e.g., SG and DSG), but also high-level management jobs specific only to certain policy domains and functions (e.g., antifraud and customs), classified as specific civil service management jobs.⁷³ It does not allow the HLCS to act as a platform for cross-institutional coordination or for the coherent management of senior and top civil service leaders in the public administration. It also reinforces an outdated civil service model that encourages and provides top leadership opportunities only to generalists, as opposed to modern models (in line with private sector practices) that integrate specialisms as part of the civil service top leadership. For instance, the current HLCS classification includes the general civil service jobs of SG/DSG, but, from the inspection and control functions, it only includes the unique position of State Inspector General (IG) of the Labor

⁷⁰ This analysis refers to general civil service positions of DGs. At the local level, the Secretary General of administrative-territorial units is classified at a director general level, ensuring legal compliance in administrative acts, maintaining stability and continuity in the operations of mayoral or county council departments, and facilitating functional links within these departments. Additionally, there are other specific civil service roles at the director general levels across central, territorial, or local administrations, which, while similar, have more specialized responsibilities compared to general directors general or their deputies.

⁷¹ There is no functional distinction between deputy DGs and DGs, per the Administrative Code.

⁷² Based on a comparative analysis of regulations of organization and functioning, job descriptions, interviews and focus-groups organized by the Bank team in April-June 2019 and as reflected in the World Bank. 2020. Deliverable 3: Report on competencies and jobs in the Romanian public administration of the RAS on Developing a Unitary Human Resources Management System Within the Public Administration.

⁷³ Annex 5 of the Administrative Code.

Inspectorate, despite there being a variety of senior management specific civil service jobs with similar responsibilities (e.g., IG for Antifraud).⁷⁴

52. The current HLCS model is not applied consistently across comparable civil service top management jobs. Previous World Bank analysis found that many of the high-level management jobs generically classified as specific civil service management jobs have primarily an oversight role, and job responsibilities similar to general civil service jobs at comparable levels of seniority.⁷⁵ However, HRM and job classification rules are applied inconsistently, without substantiation. For instance, the State IG of the Labor Inspectorate is classified as a HLCS, but the IG for Antifraud role, similar to the Deputy State IG role, are equated to a DG role in the central public administration; different appointment and selection rules also apply to each job. A similarly inconsistent approach was found within the general civil service, where the mandate and responsibilities of certain DG jobs are comparable to jobs currently classified as HLCS – i.e., in the central public administration, particularly line ministries, although the job classification does not differentiate from other central institutions –, but the same HRM rules apply as for lower-tier managers, e.g., heads of service. Consistently mapping the jobs that can be classified as HLCS requires a comprehensive job analysis and evaluation exercise, that can produce a fit-for-purpose job classification for the civil service. Previous analytical work produced by the Bank can be leveraged to inform this mapping.⁷⁶

4.2 Planning, recruitment and appointment

53. The legally defined eligibility requirements and checks for HLCS are inadequate for filtering the most qualified candidates for specific HLCS roles. Eligibility criteria for HLCS positions consist of education requirements (at least a master's degree in public administration or a related field), seven years of related professional experience, and having completed a full mandate as Member of Parliament or graduating from the NIA specialized program for HLCS.⁷⁷ These criteria apply both for appointments through the normal recruitment process, as well as for discretionary temporary appointments. The criteria do not set or favor a natural career progression from senior management roles, i.e., DG, which are most likely to have developed the competencies required to perform in a HLCS role. Thus, the eligibility criteria set too low of a threshold for years of managerial experience (particularly in the Romanian public sector), are too narrowly defined on educational requirements, as opposed to demonstrated professional experience linked to core competencies and/or responsibilities of the specific

⁷⁴ Ibidem.

⁷⁵ World Bank. 2020. Deliverable 3: Report on competencies and jobs in the Romanian public administration. Developed under the RAS on Developing a Unitary Human Resources Management System Within the Public Administration.

⁷⁶ Particularly World Bank. 2020. Deliverable 3: Report on competencies and jobs in the Romanian public administration. Developed under the RAS on Developing a Unitary Human Resources Management System Within the Public Administration; and World Bank. 2024. Deliverable 4: Report on options for adjustments to the public sector pay. Developed under the Reimbursable Advisory Services Agreement on Supporting the Reform of the Public Sector Pay System (P178811).

⁷⁷ According to Article 394(4) of GEO No 57/2019 on the Administrative Code.

HLCS role, and are only strenuously linked to the civil service career structure, given that the HLCS is envisaged as the highest echelon in the civil service.

- 54. Compliance of HLCS with eligibility requirements cannot be reliably monitored, neither sanctioned.** Administrative data is not available on the degree to which current HLCS job holders meet current eligibility criteria, but the analysis of publicly available CVs of a sample of HLCS suggests that this is the case for most, although not all, job holders. Most individuals meet the educational requirements to occupy the position of SG, as more than half of them hold at least a master's degree, and more than a quarter hold a doctoral degree. Almost half of the analyzed SG had graduated from the NIA program for eligibility into the HLCS, which is a prerequisite for appointment on the job. Nevertheless, there are no legal or institutional checks put in place to ensure that HLCS appointments meet these criteria, nor is there any available evidence pointing to sanctions for HLCS appointments who fail to meet the criteria.
- 55. From a political economy perspective, the recruitment and appointment of HLCS in Romania are deeply shaped by the logic of political control over administrative authority.** Because HLCS act as the final institutional filter of legality and compliance for ministerial policies, political leaders often perceive them as extensions of their own decision-making apparatus rather than as neutral, apolitical civil service leaders. Open-ended appointments for HLCS, given that they are currently position-based (i.e., HLCS are appointed and are expected to remain in a given position for the entirety of their careers), can become barriers for political ministers to enact their mandates if they cannot informally ensure the collaboration of their respective HLCS, given the lack of enforceable instruments for motivation and sanctioning. In practice, interviews suggest that the main rationale behind the recruitment and appointment of HLCS is political – political leaders often seek HLCS they can trust to advance their policy agendas effectively and without institutional resistance. Moreover, given the seniority and strategic importance of HLCS positions, these have become part of the algorithm for political negotiations of government offices, particularly during coalition governments. This has led to a system that prioritizes flexibility, political consensus, and responsiveness over meritocratic appointments and institutional stability, with acting or temporary appointments frequently used as mechanisms to maintain confidence and alignment between political entities, and between political ministers and their senior management teams.
- 56. The predominant method used to fill SG and DSG positions is through temporary six-month appointments of execution-level civil servants from the respective institution.** Between January 1, 2021 and May 31, 2025, out of a total of 358 appointments, 219 were made using this method. The second most common pathway consisted of temporary six-month appointments through transfer from another institution, accounting for 128 cases in the same period. Other appointment methods were rare: six through mobility within the HLCS and two through reinstatement. Notably, no appointments resulted from an open competition during this timeframe.⁷⁸ These figures are consistent with the statistics provided by the NACS for 2024, which show that 73 percent of the SG and DSG in the central public administration were filled in through a temporary appointment.⁷⁹

⁷⁸ See Annex 4 to the current report.

⁷⁹ See NACS. 2024. Annual Report for 2024.

- 57. The career trajectories of current HLCS suggest that political experience plays a significant role in appointment decisions, while managerial expertise carries comparatively less weight.** The analysis further indicates that appointees to SG positions are more frequently drawn from mid-level or non-managerial civil servants within the same ministry than from senior management posts such as DG. Moreover, a large share of appointees had previously held a SG position, either in the same ministry or in another institution, highlighting a practice of rotating incumbents. On the other hand, political experience is a recurrent feature in the career pathways of HLCS. Out of the 70 SG for whom career information was publicly available, 53 percent had previously held a role that could be associated with political responsibilities. The most common such positions included political advisor, state secretary, and prefect or sub-prefect. This pattern underscores the continued reliance on politically linked profiles in appointments to HLCS roles, in contrast to a system primarily emphasizing managerial expertise and open competition.
- 58. Strategic workforce planning and succession planning for HLCS positions are largely absent.** The AC provides for a biennial recruitment plan, but the first plan for the civil service was formally approved in 2025. Per the AC, the NACS prepares recruitment and promotion plans every two years, based on an input of civil service personnel needs provided by public administration institutions. In practice, however, these plans remain largely formal exercises, rarely based on analysis of future, anticipated vacancies. The current design of the recruitment planning process does not ensure a structured succession for HLCS positions, as it fails to consider mobility patterns or the natural progression of senior managers into the HLCS corps. In addition, institutional reorganizations within the Government often create new demands for the recruitment of SG and DSG. However, these reorganizations have been driven by political decisions rather than by a strategic approach to government structure, which makes them impossible to anticipate or integrate into recruitment planning. As a result, the system remains largely a formal exercise, existing on paper but unable to provide predictability or continuity for the HLCS.
- 59. Since 2023, the recruitment process for HLCS consists of a competency-based, two-stage open competition, which is yet to be fully implemented.** Under the AC, the NACS must first organize a national competition to constitute a pool of eligible candidates for HLCS. Following the national competition, position-specific selection competitions should be organized. However, the AC is unclear if the position-specific selection should be managed by a national recruitment committee for HLCS with NACS administrative support or by line ministers⁸⁰. The interpretation of the Government was that HLCS position-specific selection should be organized by the national recruitment committee, according to art. 396 of the AC, rather than at institutional level following the provisions of Annex 10 to the AC. A pilot national competition was organized in 2023, and 21 candidates passed the first stage of the process;⁸¹ yet none had been appointed as of 2025, as the second stage of the competition, i.e.,

⁸⁰ Art. 396 of the Administrative Code provides for a national committee, while Art. 70 of Annex 10 of the Administrative Code refers to the public authorities or institution organizing the selection stage for all civil service positions, including HLCS.

⁸¹ Details are included in ex-post evaluation of the extended national competition, to be developed under the upcoming Deliverable 5 of this RAS.

the position-specific selection, has been suspended indefinitely, with no substantiation provided. Moreover, these candidates are likely to lose their eligibility to apply to HLCS position-specific selections, which is currently set at a maximum of three years after passing the national competition; this is due to the combination of *ad hoc* appointments, unapplicable workforce planning, and discretionary and unpredictable changes to the recruitment calendar which is likely to delay the second stage of the competition by more than the allowed three years of eligibility.

60. The envisaged competency-based recruitment for HLCS has not been fully implemented nor embedded. Per the AC, the first stage of the national competition for HLCS, organized by the NACS should be based on the general competency framework for civil service, whereas the position-specific selection should use specific competencies for HLCS, defined by each employing institution and validated by the NACS. The pilot national competition organized by the NACS for HLCS did leverage the general competency framework, although with mixed results. First, the methodology for the competitions requires the use of assignments that enable the direct observation of general competencies in candidates – these include an analysis and presentation of institutional data, simulations of a decision-making process and an interview. However, these assignments are applied only through written tests. This can ensure legal defensibility of the results, since all candidate responses can be documented, reviewed, and compared uniformly, yet written tests cannot be valid assessments of behaviors which are linked to the general competencies required of HLCS.⁸² Second, the results of the pilot national competition show that the current competency-based testing is not fully effective in triaging and pre-selecting candidates for a HLCS role: all HLCS candidates that had passed the eligibility checks and preliminary testing, had also passed the advanced competency-based testing.⁸³ While the position-based selection has of yet not taken place, institutions employing HLCS have already established specific competencies for their respective HLCS and have validated them with the NACS, to be transposed in the HLCS job descriptions; yet these currently cover language and digital competencies, and their definition and formulation suggest an inadequate understanding of how such competencies should/could be applied in practice, to produce the envisaged results in HLCS selection.

61. The civil service system and legal framework does not engender the development of a talent pipeline for HLCS roles. Aside from relatively low formal eligibility requirements – for which there are weak and largely dysfunctional enforcement and monitoring provisions – the legal framework governing the civil service, as well as *de facto* practices, allow for near total political discretion over what civil service staff can be appointed and maintained into HLCS jobs. There is no prioritization mechanism to identify, encourage and support high-potential management staff to access HLCS roles. Similarly, the civil service does not develop staff pro-actively to build a talent pipeline to support succession planning for HLCS – the only development program aimed at HLCS, run by the NIA, does not serve this purpose, but rather acts as an additional layer of triage for eligibility into the HLCS.

⁸² Ibidem.

⁸³ Results published by the NACS at <https://www.anfp.gov.ro/R/Doc/2023/Concurs%20National>

4.3 Duration and stability of appointment

- 62. Temporary appointments, rather than permanent merit-based recruitment, have become the prevailing practice for HLCS positions at both central and territorial levels.** The AC allows six-month temporary appointments, and the NACS authorized 186 temporary appointments for HLCS positions in 2024,⁸⁴ which included also extensions of incumbent appointments. The NACS reported that in 2024, 77 percent of the HLCS positions in the Romanian public administration were filled through a temporary appointment.⁸⁵ At the territorial level, 31 percent of SGPI posts were vacant and 67 percent occupied by temporary appointments, leaving a single county with a permanent HLCS incumbent at county level.
- 63. The duration of temporary appointments into HLCS roles is fully decided by political negotiations and can vary between three months and more than six years.** Between January 1, 2021 and May 31, 2025, 358 appointment decisions for SG were issued at the PM level, of which 219 (61 percent) were temporary six-month appointments from within the employing ministry's own staff and 128 (36 percent) were temporary six-month appointments through transfer from another institution. Out of 97 individuals appointed as SG in this time period, almost half held office for less than one year, while thirty individuals held office for less than six months. Only a small minority achieved continuity, with four serving between 4 to 5 years, another four between 5 to 6 years, and two exceeding six years, usually through repeated reappointment to successive temporary mandates.⁸⁶
- 64. Ministerial changes, rather than institutional ones, are linked with the instability of HLCS appointments.**⁸⁷ The six-month legal ceiling for interim mandates generates a cyclical pattern of appointments, creating recurrent turnover regardless of individual performance or organizational stability. This practice is further amplified by frequent ministerial changes and cabinet reorganizations. The analysis of HLCS appointment decisions revealed that a third of SG were changed following a reshuffling of the minister of their employing ministry. Ministries that experienced repeated reshuffling of ministers, such as the Ministry of European Investments and Projects or the Ministry of Finance, also registered the highest number of SG appointments, often involving different individuals within short timeframes. By contrast, ministries with greater continuity in leadership, such as Defense or Culture, showed relatively higher stability in staffing these posts, with the same individuals being reappointed multiple times. The link between the appointment cycle and ministerial reshuffles illustrates how structural volatility in government cascades directly into the HLCS.
- 65. HLCS benefit from the same safeguards enjoyed by the wider career civil servants, but temporary appointments make these protections largely irrelevant.** The AC restricts dismissals of HLCS to misconduct, continuous poor performance, or objective organizational change, and expressly prohibit discretionary removal. However, most HLCS positions are filled through temporary appointments, and this instrument constitutes the primary *de facto* dismissal mechanism, allowing political leaders to

⁸⁴ NACS. 2024. Annual Report for 2024, pp. 14.

⁸⁵ NACS. 2024. Annual Report for 2024, pp. 10-11.

⁸⁶ See the Annex 4 of this report.

⁸⁷ Ibidem.

vacate positions without triggering due process safeguards. When a HLCS position is filled on a temporary basis, the mandate can be terminated at any moment, with no requirement for a formal dismissal procedure or justification based on performance. This practice creates a climate of uncertainty, as HLCS serving under temporary mandates remain vulnerable to political discretion rather than being protected by the stability guarantees envisaged in the legal framework.

- 66. The HLCS are subject to the same disciplinary liability regime as other civil servants, but the disciplinary procedures are ensured by a national committee and additional limitations apply.** The AC defines civil service disciplinary infringements as negligence, repeated delays, conflicts of interest, or failure to resolve incompatibilities (e.g., involvement in private sector activities) within 15 days, but none are specific only to HLCS. Sanctions range from written reprimands to dismissal, though some (e.g., suspension of the right to promotion) are inapplicable to HLCS given their position at the top of the civil service. For HLCS, the disciplinary procedure is conducted by a dedicated national committee, appointed by the PM at the proposal of the ministry responsible for the public administration and the NACS. This committee is supported logistically by NACS but, unlike other disciplinary committees, has no fixed mandate duration, as members serve until dismissal, replacement, or resignation. The Prime Minister, as the appointing authority, issues the final sanctioning act. However, the system suffers from several weaknesses: (i) there are no infringements tailored to the specific responsibilities of HLCS, (ii) most of the sanctions, such as demotion, are largely symbolic, particularly in the context of temporary appointment, and (iv) the committee, in many cases, has no jurisdiction over incompatibility cases, which must instead be referred to the National Integrity Agency.⁸⁸ In addition, in practice, the disciplinary committee for the HLCS has not been operational since 2021. The mandate of the members of the HLCS disciplinary committee appointed through Prime Minister's Decision No. 59/2018 expired in 2021. Meanwhile, the HLCS disciplinary committee appointed through Prime Minister's Decision No. 524/28.12.2023 has not been operational from the time of its appointment until the date of this analysis.

4.4 Performance management and accountability

- 67. Performance assessment for HLCS is limited to being an administrative obligation and does not generate any impact on job holders or their respective organization.** In practice and, for most uses, *de jure* as well, performance assessment does not serve any functional purpose for HLCS or their employing organizations. Its main use, to substantiate the termination of the jobholder's employment relationship in case of underperformance, is inapplicable, as HLCS positions are almost entirely occupied through discretionary temporary appointments; moreover, available evidence shows that HLCS only receive the highest performance rating. Nevertheless, given the legal requirements under the AC,⁸⁹ HLCS undergo the performance assessment process, albeit as an administrative obligation.
- 68. The performance management framework of the HLCS is made inoperable by the fragmentation of responsibilities and mandates across institutional actors.** The NACS proposes the legislative, operational, and methodological framework for performance management for HLCS, but does not have

⁸⁸ Law 176/2010, art. 11.

⁸⁹ See Annex 2 of this report for a detailed analysis of the applicable legal and operational framework.

the mandate to oversee and ensure its application. In turn, for the assessment, HLCS are evaluated by their supervisors, and are also required to complete an annual activity report and self-evaluation of it, that simply lists actions undertaken in line with their legal responsibilities, without incorporating explanations of performance results, challenges faced, or lessons learned. However, the final rating is awarded by an external evaluation committee, appointed by the PM, but which does not involve the PM's Chancellery in any capacity. The committee issues its rating after reviewing the evaluation documents, but the selection criteria for its members does not guarantee that the committee possesses the technical expertise, authority, or knowledge of government priorities required to credibly and validly evaluate performance for a HLCS. The committee formally has no access to additional data beyond the self-assessment and the evaluated HLCS's supervisor's report and lacks both the mandate and capacity to request supplementary information, other than to request an interview with the evaluated jobholder. As a result, its role is effectively limited to checking consistency between the two submitted evaluations rather than conducting an independent, evidence-based assessment. In practice, while the members of the committee have been appointed since 2023, it has never been convened, and no information is available to confirm when such a committee has been active.

69. The performance of HLCS and its evaluation is not connected to institutional performance. Given their central role in ensuring organizational performance and the delivery of policy objectives, the objectives and performance assessment of HLCS must be fully aligned with the institutional performance management framework. However, under the current performance assessment process, HLCS generally define and are assessed against annual objectives that measure routine tasks, with no explicit connection to organizational performance or to their institutions or the Government's strategic objectives. In many cases, these objectives are defined generically and replicated from previous years and/or standardized for specific categories of HLCS (e.g., SGPI). Primary budget holders (e.g., ministries) are required to link institutional policy and organizational priorities to departmental objectives and, in turn, to staff individual objectives, through institutional strategic plans (ISP), but these are not reflected in HLCS objectives or performance expectations. This is despite the fact that HLCS are expected to coordinate the development of ISP within their respective institutions. Legislative proposals developed by the NACS would require HLCS to be assessed against their contributions to institutional performance, as well as their demonstrated leadership and management competencies (based on the general competency framework).

70. Institutional oversight and accountability for performance management of HLCS is restricted to legal and administrative compliance controls. Although the NACS, through the MDPWA, is responsible for developing civil service performance management legislation, it lacks both the mandate and institutional capacity to monitor compliance or evaluate its impact. Institutions report only basic information, such as disciplinary sanctions, and the NACS is not informed when performance appraisals are legally challenged. Its role in the performance management process remains largely procedural: for HLCS, it acts mainly as a technical secretariat for the external evaluation committee, ensuring that procedures are formally followed without reviewing the content or quality of appraisals. Oversight within institutions of performance management policies and practices is performed through internal managerial control (IMC) and internal audit functions, which must annually verify that the performance appraisal process is conducted, and documentation is produced according to legislation. However, these checks focus almost exclusively on formal compliance with legislation rather than on

the quality, fairness, or impact of performance management. The mandates of IMC and internal audit units overlap, their recommendations are non-binding, and they lack sanctioning authority. Together, these gaps create a system that prioritizes procedural conformity over genuine performance improvement.⁹⁰

4.5 Wage policy and structure

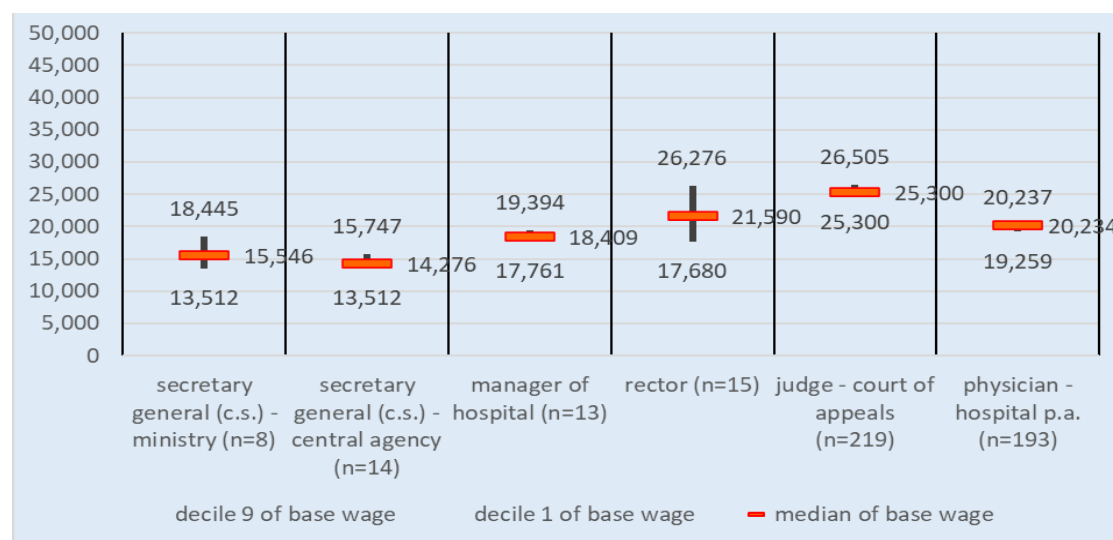
71. Pay levels can vary substantially for HLCS across the public administration, which leads to pay inequity for comparable jobs. Framework Law 153/2017 sets base pay levels for HLCS (as well as all public sector employees), as well as amounts and rules for applying variable pay components.⁹¹ The job classification defined by Framework Law 153/2017 does not differentiate between jobs within the HLCS categories; yet, the legislation, *de facto*, leads to different levels of total pay for HLCS categories, driven, in large part, by the employing institution. Moreover, compensation values vary between HLCS jobs and jobs which were defined in the Framework Law as being of similar complexity through their assigned pay coefficient. Figures 6 and 7 illustrate these discrepancies for the SG jobs, based on the most recent data available for analysis.⁹² These findings reflect that, for some HLCS jobs, the principle of equal pay for equal work is not observed. In practice, anecdotal evidence suggests that these discrepancies generate substantial issues for recruitment and retention of qualified staff in SG and DSG role in institutions assigned lower levels of compensation for these jobs; conversely, anecdotal evidence suggests high levels of mobility into institutions where SG/DSG roles are assigned relatively higher levels of compensation (e.g., Ministry of European Investments and Projects and Ministry of Finance).

⁹⁰ For a detailed description of the performance management framework for the civil service in Romania, see World Bank. 2020. Deliverable 5 Performance Management System – Analysis of the performance management system. Developed under the RAS on Developing a Unitary Human Resources Management System Within the Public Administration (P165191). Accessible here: <https://documents.worldbank.org/>

⁹¹ For a detailed analysis of the regulatory framework governing public sector pay in Romania, see World Bank. 2023. Deliverable 1A: Report on the review of the legal framework on the public sector wage system in Romania. Developed under the Reimbursable Advisory Services Agreement on Supporting the Reform of the Public Sector Pay System (P178811).

⁹² See World Bank. 2023. Deliverable 1B: Report on the assessment of the application of the Pay Law. Developed under the Reimbursable Advisory Services Agreement on Supporting the Reform of the Public Sector Pay System (P178811).

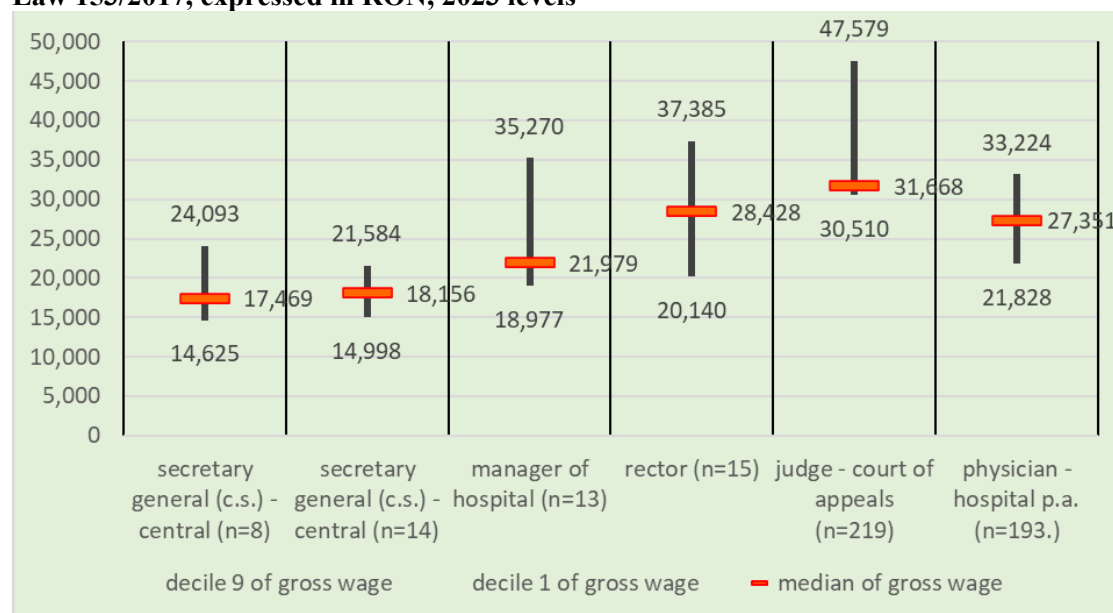
Figure 6. Monthly gross base wage for comparable public sector jobs in grade 10 per the Framework Law 153/2017, expressed in RON, 2023 levels



Source: MLFYSS wage database. As seen in World Bank. 2023. Deliverable 1B: Report on the assessment of the application of the Pay Law. Developed under the Reimbursable Advisory Services Agreement on Supporting the Reform of the Public Sector Pay System (P178811).

Notes: In the graphs, “c.s.” stands for civil servant and “p.a.” for pathologic anatomy.

Figure 7. Monthly total gross wage, for comparable public sector jobs in grade 10 per the Framework Law 153/2017, expressed in RON, 2023 levels

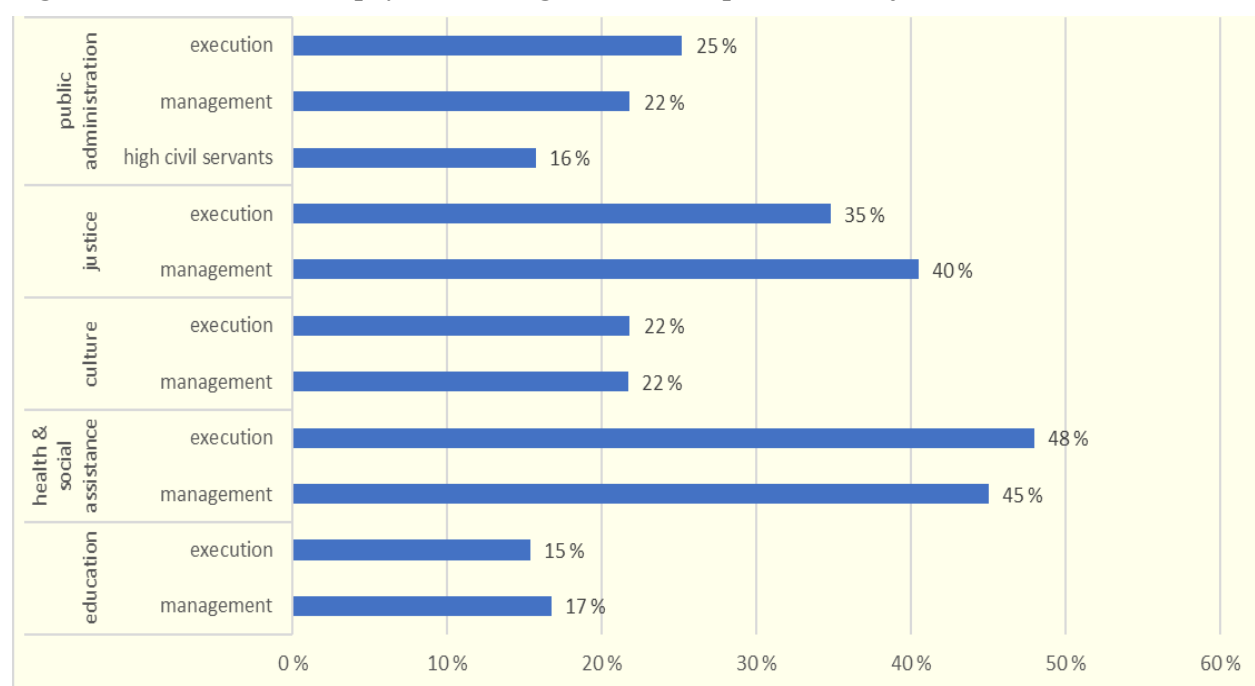


Source: MLFYSS wage database. As seen in World Bank. 2023. Deliverable 1B: Report on the assessment of the application of the Pay Law. Developed under the Reimbursable Advisory Services Agreement on Supporting the Reform of the Public Sector Pay System (P178811).

Notes: In the graphs, “c.s.” stands for civil servant and “p.a.” for pathologic anatomy.

72. The variable components of pay represent a substantial part of the compensation of HLCS, although none is directly linked to performance. The variable component of pay consists of allowances, compensations, bonuses, prizes, premiums, and other types of remuneration that do not modify base pay.⁹³ The Framework Law 153/2017 allows for performance-linked pay to be awarded to HLCS, but this provision has been suspended since its introduction through a legal moratorium. Despite this, variable pay not linked to performance represents a substantial part of the HLCS total compensation: in 2023, it reached 16 percent relative to base pay levels, per the MMSS database. However, for other management-level civil service positions, this variable pay component was found to represent an even larger share of total compensation, which, in some cases, led to these jobs benefiting from higher levels of total compensation than HLCS in their respective institution. Thus, the wage system has an adverse, or, at best, neutral effect on HLCS' incentives to perform above expectations in their respective job.

Figure 8. Share of variable pay in base wage for selected public sector jobs in Romania, 2023 levels



Source: MLFYSS wage database. As seen in World Bank. 2023. Deliverable 1B: Report on the assessment of the application of the Pay Law. Developed under the Reimbursable Advisory Services Agreement on Supporting the Reform of the Public Sector Pay System (P178811).

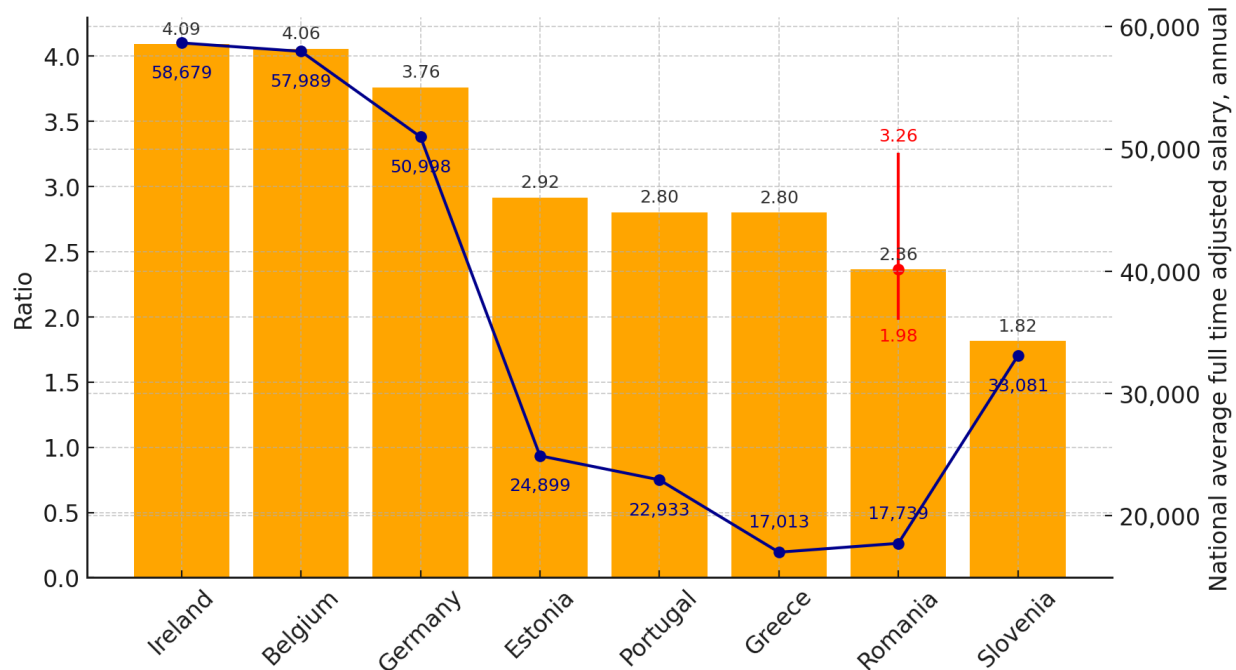
73. Relative wage levels for HLCS in Romania seem comparable to other OECD member states.

Figure 9 below shows that, in Romania, the ratio of HLCS total gross wage levels to the national average wage is comparable to that in other OECD countries, or actually surpasses a number of them, in the case of the highest paid HLCS jobs in Romania. A major contributing factor for this is the wage-setting mechanism for HLCS in Romania, which is not formally linked with national macroeconomic or fiscal indicators and has thus far been subject to discretionary and *ad hoc* increases. This data can

⁹³ Ibidem.

suggest that compensation levels are not an issue for HLCS in Romania, if benchmarked against these OECD peers. Rather, pay inequity across similar HLCS jobs, with no connection to demonstrated performance, is a substantial issue, and highlights the inconsistency of HRM, and, specifically, wage-setting rules, in the HLCS (and the broader public sector).

Figure 9. Relative total gross wage, for HLCS roles in selected countries, EUR equivalent, 2023 levels



Source: Data on HLCS wage levels as seen in OECD-SIGMA. 2024. Top public management toolkit: Salaries and working conditions. SIGMA Training resources. Data on national average full time adjusted salary as provided by Eurostat, available at <https://ec.europa.eu/eurostat/>.

Notes: The HLCS roles included in this analysis from selected EU/OECD countries represent the highest echelon of management in their respective public administration. For Romania, the analysis includes data for the SG job at the ministry level, assessed as the most complex HLCS job, and which benefits from the highest statutory base wage in the HLCS per the Framework Law 153/2017.

74. The HLCS are frequently subject to overtime work and delegation of authority from the political leadership, but wage adjustments are limited, inconsistent, and often replaced by opaque discretionary benefits. HLCS are often assigned additional responsibility for sectoral portfolios, adding layers of functionally focused competencies (specific competencies pertaining to functional domains in the sectoral areas of each institution/authority) that they need to develop on top of their generalist leadership role. Anecdotal evidence provided by HLCS through interviews and workshops suggests that overtime work is not only common across HLCS roles but also an implicit expectation upon their nomination. Moreover, political leaders frequently delegate, in a discretionary manner, additional responsibilities and authority to HLCS, to deliver as part of their day-to-day mandate. Compensatory payments for overtime and enhanced job complexity are formally allowed by Framework Law 153/2017, but these have been replaced through a TOIL policy (time off in lieu), which, in practice, is rarely applied. Conversely, selected HLCS can be politically appointed into

remunerated positions in the boards of state-owned companies. Data on appointments or remuneration in these boards is not centralized, nor tracked and reported; instead, these can be analyzed from individual HLCS CV or asset statements, if these are made publicly available. These appointments are discretionary and highlight the opaque and politicized HRM practices, which apply, in practice, to the HLCS.

4.6 Career management and development

- 75. The HLCS lacks a structured career path, as progression to SG roles is unpredictable and horizontal growth is determined politically.** Romania's HLCS career architecture provides neither a structured promotion ladder nor systematic talent management, leaving HLCS with minimal prospects once they enter a SG role. The AC treats all HLCS as occupying the single highest grade of the civil service career and does not differentiate among them in terms of career management. For open-ended HLCS, to which all HRM provisions can apply, lateral movement is restricted to political discretion and, if available, requires moving into temporary assignments.
- 76. The L&D ecosystem for HLCS is marked by fragmentation, limited strategic coordination, and a weak connection to broader HRM functions.** While a general competency framework exists, it is not systematically leveraged to identify or address the specific training needs of HLCS and DGs, resulting in training interventions that are generic and poorly targeted. The only mandatory program for HLCS, run by NIA, is tied to eligibility for appointment rather than continuous professional development, focusing more on transmitting knowledge than developing leadership skills and attitudes. Academic and private providers offer some courses, but these are neither customized to HLCS roles nor systematically embedded in a unified training strategy. Finally, monitoring and evaluation of L&D interventions is almost absent, with scarce and fragmented data making it impossible to assess outcomes or inform evidence-based policy planning.⁹⁴
- 77. Existing mobility provisions for HLCS are frequently used as an indirect dismissal tool.** HLCS may be reassigned unilaterally to any equivalent position, with refusal generally resulting in the termination of the civil service relationship. In practice, this provision can only be applied to open-ended HLCS appointments and, in these cases, has primarily been applied as a mechanism to vacate positions. The most frequent reassignments are to the GI positions, which are not linked to particular institutions/program and, thus, can be created at any point, and are generally used to remove open-ended HLCS from active responsibilities. This practice, while formally compliant with the AC, functions in reality as a dismissal mechanism, enabling authorities to reallocate or sideline senior officials without activating the formal safeguards attached to disciplinary or performance-related procedures.

⁹⁴ World Bank. 2025. Deliverable 1: Report with proposal for a Capacity Enhancement Program for senior management civil servants. Developed under the Reimbursable Advisory Services Agreement to Support to the National Agency for Civil Servants on Human Resource Management Reforms in Romania (P503309).

4.7 Governance and oversight arrangements

- 78. The regulatory framework governing the HLCS is characterized by fragmentation, lack of coherence and continuous amendments.** Since 2019, HLCS provisions in the Administrative Code have been subject to twenty-seven emergency ordinances and three parliamentary laws.⁹⁵ Moreover, legal provisions for training, performance appraisal, and disciplinary procedures for HLCS often rely on older legislative acts⁹⁶ that are not updated to reflect the provisions of the AC. Similarly, because the AC and older regulations are not harmonized, each year's regulation for the NIA-led specialized training program has had to adjust requirements, sometimes with drafting errors or contradictory references.⁹⁷ Some examples on the lack of coherence include the apparent contradiction between art. 396 and art. 70 of Annex 10 of the AC regarding the structure responsible for the position-specific selection for HLCS.
- 79. The governance of the HLCS is split across multiple institutional actors and lacks a central structure with an overarching mandate.** The AC, while attempting to unify selected civil service top management categories under the HLCS, also splits HRM responsibilities for HLCS categories across numerous institutional actors, without providing a mechanism for operational and policy coordination (except for the regular legislative institutional endorsements process). A National Council for the Development of Human Resources in Public Administration was established by Law 69/2019 for inter-institutional coordination for public sector personnel policies, but was restricted to a consultative mandate and was never operationalized. Table 7 below summarizes the institutional ecosystem for the HRM of HLCS, and corresponding legal responsibilities.

Table 7. Distribution of governance responsibilities for the HLCS system

Institutional actor or body	Key <i>de jure</i> responsibilities for HLCS
Prime-Minister	Issues all appointment and mobility decisions; may authorize derogations via emergency ordinances.
General Secretariat of the Government	Countersigns Government decisions; verifies legality of competition procedures. Prepares job descriptions for GI and set annual performance objectives and activity plans for them. Coordinates cross-cutting HRM reforms and policymaking for the public administration.

⁹⁵ Data extracted from the legislative portal of Parliament of Romania and from the Ministry of Justice legislative portal. It counts mainly the amendments related to human resources management, including for Prefects and Subprefects.

⁹⁶ E.g., GD No. 1066/2008 and GD No. 832/2007.

⁹⁷ E.g., Order No. 770/2024, Order No. 343/2023, and Order No. 1190/2022. See Annex 2 for details.

Ministry of Internal Affairs	Coordinates operationally and oversees the Prefect's Institution, including the activity of SGPI. Issues guidance on the responsibilities of SGPI, which is reflected in their respective job description.
Ministry of Labor, Family, Youth and Social Solidarity	Policymaking role for the wage policies applicable to HLCS.
Ministry of Development, Public Works and Administration	Issues HRM legislation on HLCS, at the proposal of the NACS, including civil service-related strategies. Primary credit officer for the NACS and the NIA. Constitutes and operationalizes the selection, evaluation and appeals committees for HLCS.
National Agency for Civil Servants	Prepares proposals for all HLCS-related legislation; issues methodological and implementation norms and guidance. Develops multi-annual workforce plan for the civil service (including HLCS) and validates legal compliance for institutional organigrams and job openings. Validates specific competencies proposed by institutions for HLCS. Proposes priority areas of development for HLCS and implements externally financed capacity building projects. Organizes the first stage of the national competition for HLCS and manages the pool of HLCS candidates; provides methodological and administrative support for the second stage of the competition. Collects and reports personnel data for HLCS.
National Institute of Administration	Implements the L&D policy for the civil service, proposed by the NACS. Delivers the specialized training program for eligibility into the HLCS. Designs occupational standards for the public administration.
Political leadership of institutions employing HLCS	Proposes selection, appointment (including temporary), and changes in the service relationship of HLCS to the PM.

	Determines the specific job content and responsibilities for their respective HLCS. Conducts the performance management of HLCS, including setting objectives, evaluating, and applying disciplinary measures.
HR departments in institutions employing HLCS	Administrative and operational management of HLCS in their respective institution.
Selection and appeals committees for HLCS	Conduct the position-specific selection for HLCS and validate and propose to the employing institution's political leader the candidate with the highest score for appointment into each HLCS position.
Evaluation committee for HLCS	Analyzes the performance appraisal documentation for each HLCS and issues a final performance rating.
Disciplinary committee for HLCS	Analyzes disciplinary complaints against individual HLCS (except for incompatibilities) and issues a proposal for disciplinary action to the HLCS' political leader.

Source: Authors' elaboration based on the provisions of the AC, of the Framework Law 153/2017, and of the respective institutions' rules of internal functioning and organization

80. The current institutional architecture for the civil service or public administration does not foresee a overarching leadership role for the coordination and operational management of HLCS (or broader civil service). The PM has a direct role in the HLCS management, albeit legally and administratively restricted to approving changes in the service relationship of HLCS. The Secretary General of the Government (SGG) only indirectly exercises such a role, by way of coordinating the inter-institutional endorsement of legal acts with the SG/DSG for Government approval. The mandate of the SGG, however, is designed to support inter-ministerial procedural workflows, clearing draft legislation, and acting as primary credit officer for the GSG. The AC reclassified the SGG as a political appointment, typically assigned to a senior political party figure and subject to discretionary appointment and dismissal by the PM, and thus currently has no administrative relationship with the HLCS. Thus, formally only the political leadership of each institution exercises direct management over each respective HLCS, while an overarching operational coordination is done administratively through procedural norms issued by the NACS and indirectly via the political coordination of the Government.

81. The ineffective, disproportionate and irregular application of HRM provisions for HLCS is not reliably or regularly monitored and/or sanctioned. Although NACS is formally responsible for overseeing HRM for the civil service, including for HLCS, it does not currently have the analytical or audit prerogatives required to systematically assess the application of the legal framework. The NACS maintains the civil service personnel database, which includes HLCS positions and reports annually on them, but has no leverage over temporary appointments. It can audit compliance with HRM rules, but these controls are limited to legal and procedural conformity and are non-binding, with no sanctioning authority. The NACS proposes regulatory and methodological framework for performance management for HLCS and acts as secretariat of the HLCS evaluation committee, but it does not have

the mandate or capacity to monitor compliance or evaluate the quality of appraisals. Its role is largely procedural, ensuring that steps are followed. Therefore, while the NACS has regulatory and technical roles, it lacks binding enforcement powers over HLCS management. In practice, the Romanian Court of Accounts has partially filled this gap, but its scrutiny is limited to the financial dimension, such as verifying the legality of expenditures, including salary supplements or other pecuniary benefits that may not be justified. As a result, the main enforcement of the HLCS legal framework relies on the administrative chambers of courts, or, if the case, on the criminal chamber of the courts. On the other hand, judiciary statistics do not allow for a systematic review of these cases.

- 82. The available administrative and personnel data related to HLCS is not sufficiently reliable or comprehensive to be used for HRM or policymaking.** Personnel data for HLCS is collected by multiple institutions, albeit for different purposes and in different formats. The current mandate of the NACS in terms of collecting and managing personnel data currently extends to all public sector employees, although public sector employers and institutions managing personnel databases have, as of yet, provided limited data, which renders the existing NACS database (SENEOSP) inoperable. Nevertheless, the NACS centralizes the most comprehensive dataset for HLCS, but it is limited to basic, cross-sectional indicators, i.e., headcount, gender, age intervals, type of appointment, geographical location of the position, and employing institution. Fundamental indicators, such as wage levels and components, are not collected or reported, or are in the purview of other institutions between whom there is no meaningful inter-institutional collaboration on personnel data (e.g., the MLFYSS and the MoF for wage indicators). The NACS data is not cross-validated with other administrative databases to ensure its reliability and does not allow for time-series analysis to identify historical trends or substantiate forecasts. In practice, the data is primarily used for statistical reporting purposes and does not contribute in a meaningful way as evidence for HLCS personnel policies or management. Thus, workforce monitoring, reporting, and tracking for HLCS and the broader civil service are unreliable due to limited data availability and use.

5. Strategic directions and proposed options for improving the HLCS operating model

5.1 Strategic direction for the HLCS transformation

83. The transformation of the HLCS in Romania must be driven by a vision, to be set by the Government and anchored in the broader modernization initiatives for the public administration.

The vision must set out the GoR's expectations for the HLCS and what the end-goal of the transformation should be. The GoR must set and commit to a long-term vision for the HLCS (i.e., five to seven years), given the multi-faceted and structural changes required, but that allows also for meaningful changes in the shorter term that can improve the functioning and effectiveness of the HLCS. The vision must also set relevant and quantifiable milestones against which progress in achieving it can be measured and assessed. A vision for the HLCS should not be made in isolation and/or in contradiction with ongoing or planned modernization objectives and initiatives for the broader civil service and public administration – these initiatives must be integrated into a single and coherent strategic approach, translated into a package of public policies (e.g., a national strategy for the public administration or a thematic strategy on human capital in the public administration). An initial iteration for the vision for the HLCS transformation is proposed in Box 3, based on the conclusions from the foresight workshops delivered under Deliverable 1 of the RAS.⁹⁸

Box 3. Proposed vision for the HLCS transformation

In 2030, Romania's HLCS will be a professional, merit-based, and performance-driven leadership cadre that ensures that the Romanian public administration is transparent, resilient, delivers results to its beneficiaries and uses public resources responsibly and effectively.

Progress in achieving this vision would be assessed through the following metrics, relative to 2025 levels:

- (i) Public administration institutions will be more effective and efficient at delivering results for citizens and businesses: service delivery times and costs will be reduced through organizational improvements, including the simplification and digitalization of administrative processes.
- (ii) The quality of senior leadership of the public administration will be comparable to EU/OECD standards: indexes directly measuring the quality of civil service leadership assess Romania's score as being close to the EU/OECD average score (e.g., the "Strategy and Leadership" score under the Blavatnik Index of Public Administration)⁹⁹.
- (iii) The HLCS will become an elite leadership cadre, and the highest level of professional achievement in the civil service: the majority of all HLCS positions will be filled through competitive and stable

⁹⁸ World Bank. 2025. Deliverable 1: Report with proposal for a Capacity Enhancement Program for senior management civil servants. Developed under the Reimbursable Advisory Services Agreement to Support to the National Agency for Civil Servants on Human Resource Management Reforms in Romania (P503309). A final form of the vision should be based on dedicated stakeholder consultations and on political ownership.

⁹⁹ Blavatnik School of Government. 2024. Blavatnik Index of Public Administration 2024. University of Oxford. Available at <https://index.bsg.ox.ac.uk>.

appointments, by candidates who passed the national competition; high selectivity criteria will apply, based on demonstrated competencies and professional experience, which will limit the number of shortlisted candidates for potential on-the-job appointment to a discrete sample of total applicants (international and private sector practice suggest 6 percent), thereby reconciling rigor with availability of choice.

- (iv) The HLCS will be held accountable based on their performance in achieving organizational results and policy objectives: the majority of HLCS management plans are fully aligned with their respective institution's institutional strategic plans, and evaluation reports and outcomes are based on progress in achieving the management plans.

84. A set of rules should be defined and agreed upon to guide all policy measures and interventions which contribute to the transformation of the HLCS. The set of principles would support the GoR's efforts to design and implement a transformation plan and options for the HLCS by facilitating a common understanding and, ultimately, acceptance, across stakeholders with divergent interests, on the main parameters of the policy interventions. To this end, the World Bank team distilled the following guiding rules from the interviews¹⁰⁰ and foresight workshops conducted under the RAS, which were subsequently used for the current policy recommendations for the HLCS transformation:

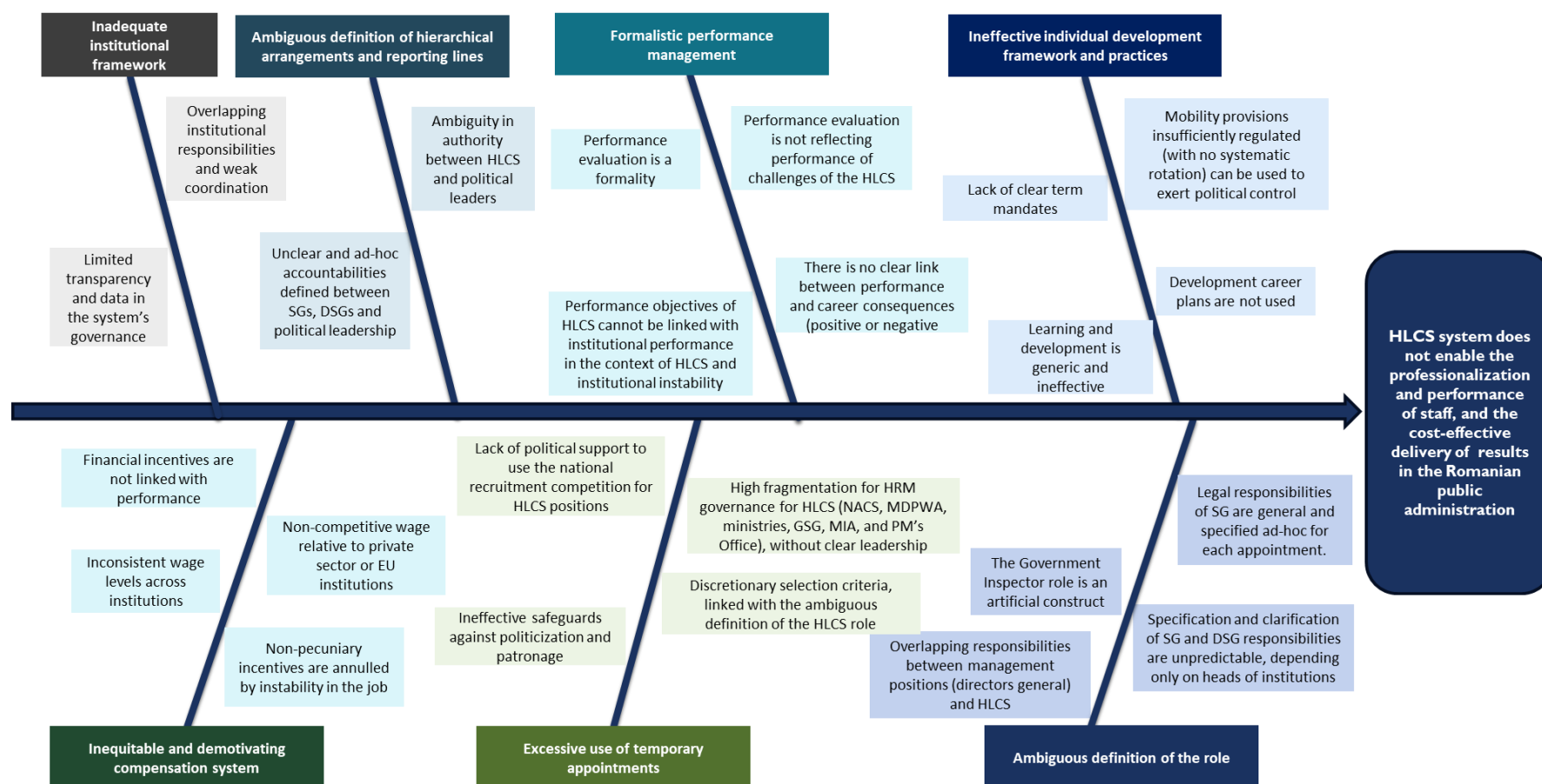
- The design of the HLCS should be adapted to the political economy realities of the Romanian public administration and to its capabilities to ensure effective HRM.
- The operating model for the HLCS should facilitate, incentivize, and enforce, among HLCS, both individual accountability and collective ownership for delivering results, in an integrated manner for citizens; thus, this should be the core focus of the HLCS performance management framework.
- The individual performance management framework for HLCS should be integrated within the performance management framework of the employing institution (e.g., using the Institutional Strategic Plans); thus, the individual performance of the HLCS should be assessed in reference with the performance of the institution to deliver results.
- The national recruitment and selection process should be the only barrier and channel of entry for eligible candidates into the HLCS; for equitable access to the recruitment competition, other administrative barriers not linked directly to the competition should be removed. This includes the requirement to either have served previously as member of Parliament or to have graduated from the specialized training programs for filling a HLCS position, organized by the NIA.
- The HLCS model should reconcile flexibility to accommodate political preferences with safeguards to protect against total political discretion, in order to foster effective collaboration, while ensuring the professionalization of the corps and delivery of institutional objectives across political cycles.

¹⁰⁰ The Bank team conducted in 2024 a series of thirty-nine structured interviews with technical staff, managers, HLCS, and political leaders in the central public administration on the subject of HRM challenges and needs for HLCS.

- The HLCS model should allow adequate stability in the job for job holders to fully develop and perform in a role, while mitigating against permanent appointments in a given position.
- The HLCS should foster public-private exchanges of experience and expertise, e.g., through staff temporary mobility and/or assignments, while protecting against conflict of interests and integrity risks through adequate “revolving doors” policies.
- The HLCS should define transparent, direct, and consolidated lines of accountability for the different categories of HLCS, which reflect the distribution of authority and governance structure in the Romanian public administration; thus, responsibilities and accountability for HRM decisions regarding the HLCS should be, to a large extent, decentralized to the political leadership of the employing institutions, with oversight from a central body (as discussed below).

85. Achieving the proposed vision for the transformation of the HLCS requires identifying, prioritizing, and addressing fundamental issues affecting the HLCS. A roadmap for the transformation should define the issues that are found to undermine the effectiveness of the HLCS, and how these issues should be addressed to contribute to achieving the aforementioned vision for the HLCS. The areas of intervention should also be prioritized to ensure feasibility and a logical sequencing of implementation, to ensure that a fit-for-purpose structure and operating model for the HLCS is first agreed upon and established. Thus, the transformation of the HLCS should be based on problem-driven, complementary and comprehensive interventions, which cover the main dimensions of the analysis in Chapter 4 of this report and observe the rules outlined above. Figure 10 below presents a visual representation of main areas of intervention that derive from the analysis in Chapter 4.

Figure 10. Diagram of identified issues affecting the effectiveness of the HLCS in Romania



Source: Authors' elaboration.

5.2 Options for the fundamental changes to the HLCS operating model

86. The HLCS must undergo a number of structural changes to become functional and effective.

Structural changes are required to transform the operating model of the HLCS; these consist of legal, institutional, and policy changes. In parallel, the structural transformation of the HLCS must be enabled and supported through operational improvements and, where necessary, through adaptations of the HRM policies and functions applicable to HLCS – these are detailed in Sub-chapter 5.3. The structural changes would underpin a new operating model for the HLCS and would focus on:

- **Re-defined mandates and roles, within a new job classification and grading structure:** consistently mapping all relevant senior management jobs (SG, DSG, DG, and select top civil service roles) into HLCS, clarifying mandates, responsibilities, and reporting lines, and removing roles (e.g., Government Inspector) that do not fit.
- **Enhanced and explicit SG and DSG mandates:** formalizing their authority over institutional structures, introducing individual accountability for institutional results, and aligning their roles with policy delivery, operational performance, and digital transformation objectives.
- **Updated terms of appointment and employment:** moving to a strictly position-based system which reconciles competency-based assessment with political choice. It integrates the NACS proposals on time-bound mandates, mandatory rotations, and competency-based career progression, while mitigating excessive political discretion in appointments and removals.
- **Stricter eligibility and integrity rules for HLCS jobs:** standardizing competency-based assessments for all jobs which fit in the HLCS, removing administrative barriers unrelated to recruitment process, and introducing enforceable “cooling-off” periods to prevent conflicts of interest.
- **Coherent HRM governance for HLCS:** introducing central HRM policy and oversight institutional mandates for HLCS and unifying them under a single, central structure, with clear delegations of HRM responsibilities to employing institutions. The main option would be for the NACS to take up this role, as a stand-alone authority under the Prime Minister.
- **Establish mandatory workforce planning underpinned by HR data:** developing robust HR analytics (e.g., vacancy rates, time-to-hire, succession coverage, gender balance, training investment) to inform evidence-based HR policies, and track and evaluate personnel costs and gaps.

87. The HLCS must be enabled to achieve its mission through a proportional mandate and prerogatives.

The current legislative or strategic framework for the civil service or broader public administration does not define what specific functions the HLCS, as a whole, should fulfill for the effective functioning of the public administration, or how the different HLCS categories are expected to collaborate to discharge their assigned mandates coherently and effectively. As a first step in this

direction, the NACS, based on previous World Bank analysis,¹⁰¹ has mapped the full range government functions which the civil service is responsible for delivering, grouped in eighteen functional domains. To improve its operating model, the HLCS must be redesigned to incorporate these functions across its constituent job roles, in a way that is mutually exclusive and collectively exhaustive, both within the HLCS, but also with the broader civil service. The mandate assigned to the different categories of HLCS, corresponding to these functions, must allow the HLCS to achieve its overarching vision/mission.

88. The HLCS classification structure must be adapted to align with the systemic re-classification efforts planned for the public administration, and to enable differentiation among HLCS job categories. The HLCS system should encompass all categories of civil service senior management jobs that contribute to its mission statement and share comparable job responsibilities and mandates, but should be able to differentiate them based on job complexity, to allow for proportional HRM policies to apply. The HLCS system currently does not differentiate or distinguish between its constituent civil service job categories; an implicit ranking and classification of these jobs can be inferred from their respective pay coefficients for base wages.¹⁰² A HLCS job classification that serves as an effective HRM tool should explicitly distinguish between its constituent job categories, to reflect the relative ranking of these jobs in terms of their mandates, responsibilities and overall job complexity.

89. The differentiation among HLCS jobs would translate, in practice, into a multi-tiered HLCS system, aligned with the proposed grading structure for the public sector wage system. Achieving the standards and objectives set for the HLCS requires differentiated support and enabling measures for each category of job that form (and are proposed to form) the HLCS corps. As such, a multi-tiered HLCS system would allow for HRM policies to adapt to the needs of the different categories of HLCS. However, an underlying grading structure that can effectively support the appropriate classification of different jobs is missing. In rigidly hierarchical systems and organizations, such as the Romanian public administration, a grading structure would provide consistency, predictability, and transparency regarding the assignment of accountability and decision-making responsibilities, about pay progression (and wage bill dynamics), and about the career structure and opportunities for mobility across roles. In recognition of this, previous World Bank analytical work produced recommendations for a unitary grading structure for the public sector in Romania, based on levels of job mandates and job complexity,¹⁰³ in support of the GoR's current commitment under the NRRP to reform the public sector wage system.¹⁰⁴ Once the proposed wage system is introduced, the new HLCS job classification structure would need to be merged with the proposed grading structure – Box 4 provides additional details.

¹⁰¹ World Bank. 2020. Deliverable 3: Report on competencies and jobs in the Romanian public administration. Developed under the RAS on Developing a Unitary Human Resources Management System Within the Public Administration. Accessible here: <https://documents.worldbank.org/>

¹⁰² Per the Framework Law 153/2017.

¹⁰³ See World Bank. 2024. Deliverable 4: Report on options for adjustments to the public sector pay. Developed under the Reimbursable Advisory Services Agreement on Supporting the Reform of the Public Sector Pay System (P178811).

¹⁰⁴ Under the Romania NRRP milestone 420.

90. Romania's current HLCS corps should be expanded and more widely distributed to serve as a meaningful driver of systemic change or performance across the public administration. With only a limited number of positions formally classified as HLCS, the GoR lacks a critical mass of leaders who can collectively influence reform, champion institutional transformation, and coordinate delivery across administrative boundaries. In contrast, as shown in Chapter 3, OECD countries maintain a sizeable senior civil service, often representing between 0.5 and 2 percent of all public servants, structured as a distinct professional community with uniform recruitment standards, shared competency frameworks, and coherent governance mechanisms. This scale allows them to sustain a cadre of professional leaders capable of driving whole-of-government objectives, ensuring policy consistency, and maintaining administrative stability across political transitions. A larger and better-integrated HLCS corps also improves the cost-effectiveness and feasibility of HR policies, as training, performance management, and mobility frameworks are applied across a broad group, generating economies of scale and better matching supply and demand. Most importantly, it enables governments to tackle complex, cross-sectoral challenges, such as digital transformation, climate adaptation, or social inclusion. through integrated, coordinated responses led by senior leaders who share a common strategic culture and leadership ethos. For Romania, expanding and professionalizing the HLCS corps would not only strengthen leadership capacity but also create the institutional backbone required for a coherent, performance-driven public administration.

Box 4. Proposed job classification system for the public sector in Romania

The Ministry of Labor, with Bank support, led in 2022 a working group of HR experts from across the public sector in Romania to apply a comprehensive analytical job evaluation exercise for a representative sample of public sector jobs. The job of SG was included analyzed as part of this exercise.

The exercise produced a proposal for a grading structure with 12 grades for the public sector, mapped onto a single pay spine. Ten grades cover the representative sample, while two additional grades were reserved for public dignitaries.

The SG role was evaluated as a strategic role at the top of the public administration hierarchy. In line with the evaluation criteria, the job was placed in grade 10, together with other jobs of comparable value, such as hospital manager and university rector, that scored comparably in terms of strategic value, leadership responsibility, and decision-making impact. Other senior management roles for the public administration, including the current and proposed HLCS roles, would be placed in the grade immediately below that of the SG, i.e., grade 9, based on their assessed job complexity.

Thus, a possible classification for the HLCS in the envisaged job classification system would comprise relevant jobs in grades 10 and 9.

Source: Authors' elaboration, based on the deliverables produced under the Reimbursable Advisory Services Agreement on Supporting the Reform of the Public Sector Pay System (P178811).

5.2.1 The HLCS job classification

91. The Secretary General role, as the highest-ranking civil servant, should act as the main vehicle for the political leadership to generate public value through the public administration. The core mandate of the SG role should center around the effective delivery of their respective political leadership's policy priorities, as opposed to its current focus on administrative and operational management and oversight. The SG are, however, in many cases, formally assigned by the political leadership, in an *ad hoc* way, to coordinate one or more policy areas and the respective institutional structures covering these areas – this can lead to overlaps in mandates and to unclear accountability for results with the heads of the respective structures (e.g., generally at the DG or director level). Moreover, the SG has no formal direct control or prerogative to enforce accountability over these structures and their personnel, except indirectly through the political leadership (or if legally delegated by the minister). As such, the HLCS and the broader civil service operating model lack a dedicated, non-political, and overarching decision-making role with a formal and explicit mandate and levers to ensure that institutions deliver the intended results. The SG mandate under the proposed HLCS model should explicitly and formally introduce direct and individual accountability and prerogatives to this end. Legislation should not allow political discretion in restricting or expanding the role beyond its defined mandate. The World Bank and the NACS organized a series of foresight workshops under the RAS in November 2024, which produced a proposal for the SG's mandate – see Box 5 below. For specific corporate areas under this mandate, the SG will be supported by the institution's respective DSG, as described below. Additionally, to enable the SG to deliver this mandate, they should be assigned solid reporting and management lines over the policy structures in their institutions, including line management prerogatives over their respective DGs or directors. In turn, the SG would report directly to the institution's top political leadership (i.e., minister or president). In effect, this would delineate, unify, and formalize the hierarchical arrangements that are the *de facto* applied across the public administration, and would serve to clarify expectations and corresponding accountabilities for the role.

Box 5. Summary of HLCS functions identified during the visioning workshops

Each profile is designed to represent distinct facets of HLCS roles and responsibilities, providing a framework to identify the specific skills, knowledge, and attitudes required for excellence in these areas:

1. **Policy entrepreneur:** a proactive leader who drives systemic change by translating vision into action, mobilizing key stakeholders and ensuring accountability for the delivery of results.
2. **Strategic catalyst:** drives strategic planning and policy and enables program delivery, from inception to implementation, ensuring collaboration and accountability.
3. **Institutional reformer:** leads institutional reform efforts to establish and sustain a performance-oriented culture in the institution, focused on delivering results for citizens.
4. **Explorer:** an innovator who drives institutional improvement through experimentation, new technologies and pilot projects.
5. **Diplomat:** represents the organization in national and international forums, advancing strategic interests and managing key communications.
6. **Control tower:** ensures institutional efficiency and cost-effectiveness of operations by maintaining order, optimizing resources, and ensuring compliance with internal control and alignment with strategic objectives.

7. **Treasurer:** does budget planning and execution, ensuring efficient resource allocation while maintaining fiscal discipline. Success in this role requires expertise in public finance, budget cycles, fiscal policies, and resource allocation methods.
8. **Team leader:** ensures delivery of impactful results and alignment with organizational goals by coordinating departments, motivating teams, and fostering collaboration. Success in this role requires strong skills in performance management, task delegation, conflict mediation, and internal communication.
9. **Mediator:** anticipates, prevents and mitigates risks to the institution and manages urgent and complex situations by providing coordinated responses and solutions. Success in this role requires strong skills in crisis management, negotiation, conflict resolution, and prioritization.
10. **Advisor/Legal Endorser:** analyzes and approves normative acts, ensuring compliance with legal, technical, and financial standards.

Source: Authors' elaboration, based on the outputs of the visioning workshops, November 2024.

92. The mandate, responsibilities and reporting lines of the DSG should be explicitly defined legally, to ensure consistency across the public administration and complementarity with other HLCS jobs. Per the AC, the political leadership of each institution has full discretion in defining the role of their respective DSG on a case-by-case basis, and, in practice, this ranges from assigning general administrative responsibilities, to *de facto* substituting for the SG of the institution. This inconsistent and politically (and individually) discretionary approach to the DSG role, given its potential mandate in the public administration as one of the highest-ranking civil service position, can undermine or negate the impact of the role and disrupt the functioning of the civil service. It diffuses and obfuscates accountability and responsibilities across the top leadership roles in the civil service, acts as a barrier towards professionalization, and can lead to discriminatory and unfair HR practices (i.e., wage levels are not correlated with assigned job responsibilities and reporting lines). Thus, the mandate, responsibilities and reporting lines of the DSG must be explicitly defined in the legislation, at a level proportional to its current HLCS classification, to enforce the uniform delivery of the role across the public administration and the fair application of HRM rules. In the current context of the civil service classification, the DSG job content should be defined to complement and take over parts of the SG role to effectively advise and support, through the organizational structures, the political leadership to generate public value and results for citizens.

93. In terms of mandate, the DSG should be responsible and accountable for the administrative and operational functioning of their employing institution. This would entail taking over the direct coordination of support structures in the institution (e.g., ICT, HR and budget and finance), which, generally, has been a joint mandate with the SG or entirely in the latter's remit. This would entail also centralizing responsibilities for leading and coordinating measures to improve the institution's operational performance to deliver its objectives more efficiently and effectively, which, in many cases in the Romanian public administration, should revolve around enhanced digitalization. Thus, a core task for the DSG role would be on digital transformation, in line with the job requirements set, for this level of seniority in the civil service, through the upcoming digital competency framework (see Box 7 below). In institutions with multiple DSG positions, one position should be dedicated fully to coordinate the institution's digital transformation.

Box 6. A Digital Competency Framework for HLCS and the broader civil service in Romania

The NACS, the NIA and the ADR, with Bank support and under an EU-funded technical assistance project,¹⁰⁵ are jointly developing a digital competency framework that would be aligned with the DigComp 2.2. model and be tailored to the Romanian context.

The proposed framework defines seven areas of digital competencies for the civil service: (1) digital literacy in public administration, (2) digital communication and collaboration, (3) digital content and public services, (4) safe, responsible and sustainable use of resources, (5) problem-solving through digital tools, (6) digital transformation in public administration, and (7) digital leadership and governance. Areas 1-6 group the digital skills for all civil servants, while Area 7 focuses exclusively on managers and HLCS, recognizing their role in leading and sustaining digital transformation. For each competency, three levels of proficiency are defined: A (basic), B (intermediate), and C (advanced), allowing a differentiated approach to assessment and training.

While HLCS are expected to maintain at least basic to intermediate proficiency (levels A-B) in general competencies across Areas 1-6, their distinct role lies in demonstrating advanced (level C) capabilities in leadership-oriented competencies (under Area 7). This does not imply that HLCS should act as technical experts; rather, they are expected to enforce compliance with governance, legal, and cybersecurity requirements in the respective institution, ensuring that processes, rules, and resources are aligned with responsible and secure digital practices. Also, HLCS can be expected to act as digital transformation managers, responsible for steering innovation in connection with digital tools, coordinating institutional change, and mobilizing resources for sustainable implementation, while creating an organizational culture that integrates strategic foresight with operational efficiency enabled by digitalization.

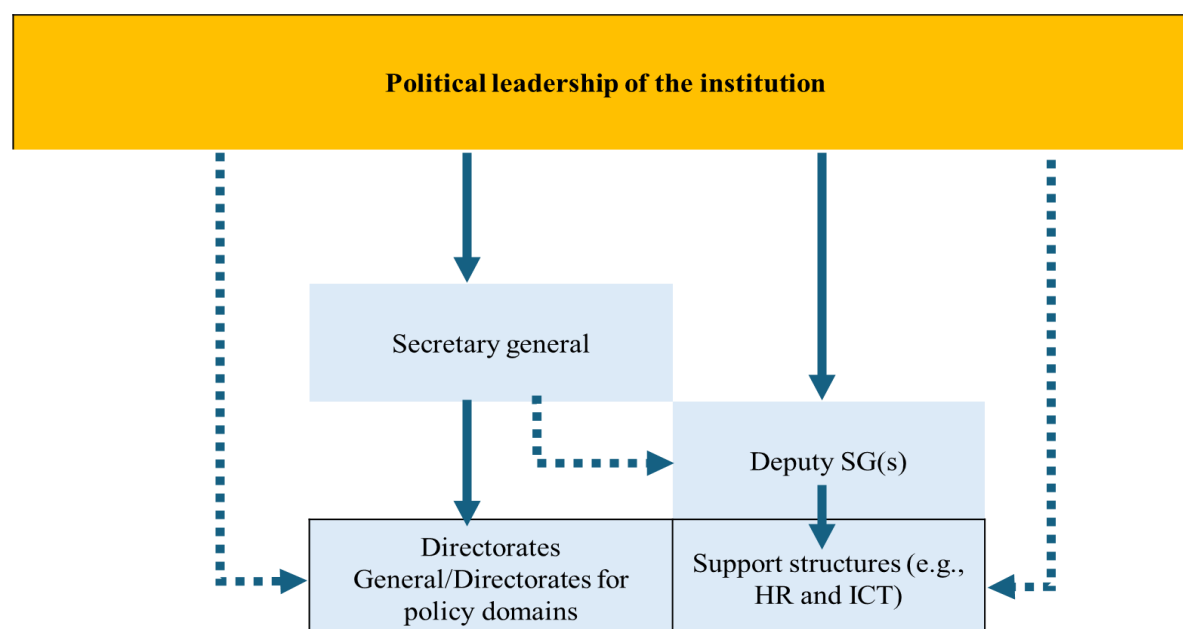
Moving forward, once the proposed digital competency framework is adopted, the proposed digital competencies would need to be developed through tailored training programs, including for HLCS. This will enable HLCS to translate Romania's digital ambitions into accountable, citizen-focused reforms.

Source: Authors' elaboration.

94. In terms of working arrangements and reporting lines, the DSG should be accountable to the political leadership, and for supporting the SG. Based on the current job classification for the civil service, the DSG should have (i) a solid line of reporting to the institution's political leadership (i.e., the minister or a secretary of state, as assigned by the minister), and (ii) a dotted line of indirect reporting to the institution's SG. This reporting structure aims to introduce and enforce complementarity and coordination of responsibilities between the SG and the DSG within the HLCS and transpose the grading structure into a transparent and predictable hierarchical structure, while ensuring that the DSG remains directly accountable to the political leadership. See Figure 11.

¹⁰⁵ "Romania: Developing a General Digital Competence Framework for Civil Servants", developed under the EC Contract No. REFORM/IM2024/005 (under TF074110).

Figure 11. Proposed reporting lines for SG and DSG under the new HLCS model



Source: Authors' elaboration.

Notes: Solid lines represent direct line management responsibilities; dotted lines represent responsibilities for accountability and oversight.

95. The job content of the role of the SGPI should be clearly outlined in the legislation, to allow a valid differentiation in the HLCS job classification in relation to the SG and DSG roles. The legal framework classified the SGPI as a HLCS job, but does not adequately define the role, nor its eligibility requirements; however, it sets the base wage at the level of DG in the central public administration, thereby implying a similar level of job complexity and scope. Thus, the SGPI seems to have been artificially classified as a HLCS, to act as the highest-ranking civil servant at the territorial level following the reclassification of the Prefect role as a political appointment, without a corresponding scaling up of its mandate and responsibilities. Moreover, in practice, the role of the SGPI is primarily focused on administrative and operational tasks linked to the Prefect's mandate, as a tertiary credit officer, as opposed to the SG and DSG, which (can potentially) play a central role, at a strategic level, for primary and secondary credit officers and across national-level policy areas. In fact, the Prefect can temporarily delegate (and generally does, given the low number of permanent appointments in the role), through a tertiary regulation, the SGPI role to the head of the Prefect's Institution's legal department – generally, a middle-management position –. It follows, then, that the current SGPI role cannot be classified at the highest proposed tier of the HLCS, alongside the SG, but at the level of the DSG, provided that its mandate under the proposed HLCS model mirrors that of the DSG. This should require, also, that similar appointment and selection standards and legal arrangements apply to the SGPI as to the DSG or the SG.

96. The GI job should not be classified as a HLCS category under the proposed model. As highlighted above, the category of GI does not serve a functional role within the HLCS or the broader civil service architecture – *de facto*, the GI job is an HRM tool, through which SG/DSG job holders with open-ended

appointments are transitioned into a reserve list, which is used to indefinitely remove these job holders from active SG/DSG roles.¹⁰⁶ *De jure*, also, the mandate of the GI role, while overall ambiguous, primarily relates to program management responsibilities, although with no clarity as regards decision- or policy-making prerogatives. The discrepancy between the GI's relatively non-critical mandate and role, and its classification in the HLCS and the civil service job hierarchy was highlighted both in a previous World Bank job analysis exercise¹⁰⁷ and a recent systematic job evaluation of public sector jobs.¹⁰⁸ Thus, under the new HLCS model, the category of GI should be removed from the HLCS and, subsequently, should be abolished from the civil service job classification.

97. The DG role in the central public administration is generally assigned the mandate for strategic decision-making in one or more policy areas and should selectively be classified as a HLCS category. DGs play a critical role in setting, planning for, and achieving strategic policy objectives across the public administration. They are regularly assigned by the political leadership credit officer responsibilities and, in larger line ministries, relative to HLCS, have broader line management responsibilities and directly manage large budgets and complex sectoral reforms, programs, and/or public investments. Indeed, based on the complexity of the role, as well as on the direct collaboration of political decision-makers with DGs to deliver policy objectives, (i.e., usually secretaries of State that coordinate the policy areas that the respective DG cover), a previous World Bank analysis has assessed it as being closer to a HLCS.¹⁰⁹ It has recommended re-classifying the role to differentiate it, and its applicable safeguards and HRM regime, from the other management-level roles in the civil service, which have less strategic impact and a more operational and technical role in delivering political priorities. As such, moving forward, the new HLCS model should incorporate the DG role from the central public administration as a HLCS category, albeit distinct from the categories encompassing the SG, DSG and equivalent roles. However, this reclassification would require clear criteria and decision-making process for validating the DG positions that should be part of the HLCS, as interviews have highlighted an institutional practice, driven by political discretion, of artificially creating DG positions through institutional reorganization. To mitigate against this, a first layer of control could be to include only DG positions in line ministries. An added (or alternative) layer of control would be for institutions to leverage the mechanism of defining “critical positions” (*funcții sensibile*), under the National Anticorruption Strategy,¹¹⁰ to identify the DG positions that the Government should include in the HLCS.

¹⁰⁶ Per findings from stakeholder interviews conducted under the RAS.

¹⁰⁷ World Bank. 2020. Deliverable 3: Report on competencies and jobs in the Romanian public administration. Developed under the RAS on Developing a Unitary Human Resources Management System Within the Public Administration. Accessible here: <https://documents.worldbank.org/>

¹⁰⁸ World Bank. 2024. Deliverable 4: Report on options for adjustments to the public sector pay. Developed under the Reimbursable Advisory Services Agreement on Supporting the Reform of the Public Sector Pay System (P178811).

¹⁰⁹ World Bank. 2020. Deliverable 3: Report on competencies and jobs in the Romanian public administration. Developed under the RAS on Developing a Unitary Human Resources Management System Within the Public Administration. Accessible here: <https://documents.worldbank.org/>

¹¹⁰ Per the Order of the Secretary General of the Government no. 600/2018.

5.2.2 Appointment and terms of employment of HLCS

- 98. The terms of employment for the roles included in the HLCS under the proposed model should be differentiated in line with their respective mandates and job requirements.** The current civil service employment model is a hybrid between a career-based system for execution-level jobs and a position-based system for all management-level and HLCS jobs; however, in practice, as shown in Chapter 4 and Annex 4, the envisaged linear and staggered career progression into senior management (i.e., DG) and HLCS roles is blocked, due to systemic leapfrogging practices into such roles through the discretionary and excessive use of temporary appointments and promotions. Additionally, open-ended appointments in these roles translate, in practice, into permanent appointments into specific positions, thereby removing opportunities for career mobility and progression for other eligible candidates, and effectively undermining the envisaged career system for the civil service. Enabling meritocratic and predictable career progression through the civil service hierarchy requires more rigorous workforce planning practices and more stringent eligibility requirements for senior management and HLCS roles. It also requires that appointment rules and employment policies related to tenure in a specific position be adapted to enable the job holder to deliver the expected results in the role.
- 99. SG and DSG roles should continue being position-based, but should be governed by differentiated HR policies and safeguards, fit for their level of seniority and type of appointment.** These roles should not be occupied through promotions or temporary appointments, given that, even in the current context, they are disconnected from the broader civil service career structure. Instead, appointments should only be possible following a recruitment and selection process, anchored in the competency-based assessments through the national recruitment competition, as described below. This aligns with the recent regulatory proposals issued by the NACS to limit tenure in these roles, in normal circumstances, to a maximum of two mandates, totaling up to six years. Moreover, exit from the job in normal circumstances would not automatically entitle the job holders to occupy a job of a similar level, as is currently the case, but would prioritize them in the rotation and job selection process for these categories of jobs. Under this model, the reserve corps of HLCS would be replaced by the current pool of eligible candidates that can apply for HLCS positions, managed under the national recruitment competition. For the civil service hierarchy to become functional, entry into SG and DSG jobs should be restricted to job holders with extensive experience and demonstrated competencies and performance in immediately lower ranking jobs or, for external candidates, in jobs of similar complexity – i.e., at least 5 years of continuous experience in at least DG -level or equivalent roles in the public and private sector.
- 100. DG roles would require a tighter integration in the civil service career system.** This model would expand the career progression opportunities for high-potential lower-ranking managers in the civil service, to establish a stable and professionalized pipeline for candidates to SG and DSG roles, and to insulate against political patronage and pressures in appointments – as is currently the case – given that the effective delivery of DG roles is done at arm’s length from the political leadership. To this end, appointments into DG positions should prioritize internal candidates, through internal competitive promotions from immediately lower ranking management level jobs, i.e., director-level or equivalent roles. This process should be based on a strict quota which restricts external recruitment, e.g., to a

maximum of 40 percent of open positions.¹¹¹ The competitive promotions would only be open to eligible candidates who have passed the first phase of the national recruitment competition, as is the current requirement for selection for these jobs. Moreover, eligibility requirements should be commensurate with the complexity of the job, which differentiates it from other management-level civil service jobs and classifies it as an HLCS. Thus, DG candidates should undergo competency-based assessments of a similar level under the national recruitment competition as SG and DSG, as opposed to the current approach of assessing all civil service management jobs (from lowest ranking to DG) against similar general competency requirements.

- 101. The selection and appointment rules of the SG and DSG, as the top tier civil servants in the proposed HLCS model, should be adapted to the required working arrangements with the political leadership.** The employment conditions for the SG and DSG should introduce adequate safeguards that can reliably ensure meritocratic selection and predictability of HRM outcomes in these roles, all the while maintaining the necessary flexibility that enables the political leadership to effectively deliver their priorities. In the current context, the formal employment conditions and appointment regulations are neither sufficiently responsive, nor enforceable, to achieve these objectives. The analysis in Chapter 4 has documented that the legal obligations for recruiting SG and DSG through the national recruitment competition have been continuously circumvented through the use of temporary appointments, as a general practice – which condition appointment on minimal eligibility requirements for these roles –, while predictability and stability in the role for these temporarily-appointed job holders has been severely undermined and is subject to total political discretion. In contrast, for open-ended appointments in SG and DSG roles, the legal framework and HRM instruments that can address underperformance issues are prohibitively difficult to apply, even by the respective institution’s political leadership. To mitigate these issues, the NACS has proposed mandatory rotations and time-bound mandates, linked to multi-annual management plans and performance evaluations, for HLCS (as summarized in Sub-chapter 2.3 above). These proposals should be complemented by more responsive and predictable appointment and employment conditions and practices for the DSG and SG.
- 102. A streamlined, competency-based assessment would allow more robust selection and appointment to an open SG and DSG position.** The proposed HLCS model would require all potential candidates to pass or to have passed the national recruitment competition for HLCS jobs, but the final selection would be made by the political leaders of the employing institution. They would select from a short-list consisting of up five, unranked candidates, generated through an internal assessment process of the eligible candidates – Annex 1 provides a proposal for adapting the current job-based selection process of the national recruitment competition in this regard. The Prime Minister will continue to formally appoint (or veto) the selected candidate. The internal selection process would prioritize applicants in the following order:

¹¹¹ As recommended in previous World Bank analytical work. See World Bank. 2020. Deliverable 4.1. b Proposed handbook on recruitment. Developed under the RAS on Developing a Unitary Human Resources Management System Within the Public Administration. Accessible here: <https://documents.worldbank.org/>

- First, from current SG and DSG who are in the rotation pool, per the rotation policy proposed by the NACS, following the operational procedure detailed in Annex 1 of this report. For these applicants, the employing political leaders would be required to conduct an assessment interview; they may also request that the applicants undergo the internal assessment process, prior to the mandatory one-to-one interview.
- Second, from eligible DG who have expressed interest in the position, under the workforce planning process overseen by the NACS (if the vacancy has been planned for) or through the regular application process for HLCS job vacancies. Additionally, a succession planning process, if implemented and made functional for HLCS, could introduce a prioritization of eligible DG based on their demonstrated and assessed potential to accede to a SG or DSG role. These applicants would be required to undergo an internal selection process.
- Third, the political leader could request an open competition for the position, including from external candidates. These applications would be required to undergo the first phase of the national recruitment competition and the internal selection process.

103. The HRM framework should allow political heads of institutions credible prerogatives for justified changes to the employment relationship of occupied SG and DSG positions. Given the critical role of SG and DSG to enable the delivery of policy objectives, the political leader of the employing institution should have adequate leeway to replace incumbent SG and DSG job holders in justified cases, which should include demonstrated and repeated instances of underperformance and failure of cooperation or compatibility with proposed policies. The policy proposals from the NACS on annual and multi-annual performance evaluation for HLCS, given the difficulty of applying them effectively in the Romanian public administration,¹¹² could be complemented by a 6-month probation period that starts whenever the incoming political leader formalizes the first mandate of the existing SG and DSG job holders in the institution. The political leader would have the right to terminate, with substantiation, the employment service of the SG/DSG within the probation period, subject to a final legal endorsement of the Prime Minister. This approach is preferred to the currently applied practices of deliberately misusing HR or organizational measures to remove incumbent job holders, such as through institutional reorganizations or short-term temporary appointments. In such cases, the outgoing SG/DSG would rotate into another SG/DSG role (if available), return to their position of origin, or leave the civil service (if external recruitment for SG/DSG roles is introduced).

104. Eligibility and potential for HLCS jobs must be assessed only against the candidate's demonstrated competencies and fit with the prospective job, as opposed to compliance with administrative requirements. The national recruitment and selection process must be the only barrier and channel of entry for eligible candidates into the HLCS. For equitable access to the national recruitment competition and/or selection into a HLCS job, other administrative barriers not linked directly to these assessments should be abolished. This includes the eligibility condition for candidates

¹¹² World Bank. 2020. Deliverable 5 Performance Management System – Analysis of the performance management system. Developed under the RAS on Developing a Unitary Human Resources Management System Within the Public Administration (P165191). Accessible here: <https://documents.worldbank.org/>

to have served previously as member of Parliament or to have graduated from the specialized training programs for entry into a HLCS jobs, organized by the NIA. These administrative prerequisites have not proven or have been evaluated as contributing to better selection outcomes or performance in HLCS jobs. However, these legal conditions can introduce discriminatory restrictions to the potential pool of suitable candidates, based on financial means – i.e., the costs of enrollment to the specialized training program for HLCS, incurred by participants –, and political leverage and support.

105. Strict and enforceable “cooling off” provisions must be introduced for HLCS job holders who suspend their employment relationship, to mitigate against potential conflicts of interest.¹¹³

Currently, the regulations applicable to the civil service allow HLCS jobs holders (as well as other civil servants) to suspend their employment relationship for multiple years and to be guaranteed, upon their return to the civil service, a position at a similar level. For HLCS in the general civil service, there are no restrictions concerning employment relationships in the interim period. Given the senior authority and strategic decision-making prerogatives of HLCS in terms of policies and institutional resources, this can lead to conflict of interest and integrity risks, as confidential information can be leveraged outside of the public sector, or because outgoing HLCS, who are expected to return, might still be able to exert influence over incumbent officials or employees. These risks should be mitigated by adequate “revolving doors” policies, that prevent HLCS job holders to retain influence after their exit from the public administration. Mitigation measures that can be adequately monitored and enforced in case of HLCS roles are “cooling off” period for re-entering the civil service. These should apply for between one and two years after suspending the employment relationship in the civil service. Similar cooling off periods should apply for appointments of outgoing HLCS job holders into board or executive positions of state-owned enterprises, to mitigate against the risk of clientelism and conflict of interests in appointments, given that HLCS exercise their employing institution’s supervisory functions for the SOEs in their remit.¹¹⁴

5.2.3 The HRM governance of the HLCS

106. The governance of the HLCS should be unified into one institution, to address the current fragmentation, incoherence, and ambiguity of HRM responsibilities for HLCS. The analysis in Chapter 4 showcases the ineffectiveness of the current governance arrangements for the management of the HLCS, due to the overly complex institutional architecture of the public administration, which generates blurred responsibilities and fragmented institutional mandates for HRM for HCLS (and, more

¹¹³ Similar provisions, applying, however, to a period of 12 months prior to appointment to a civil service job and after the termination of service relations, were introduced for activities involving supervision or control and for participation in contract conclusion through Law No. 189 of 19 November 2025 amending and supplementing certain normative acts in the field of integrity.

¹¹⁴ These proposals align with OECD recommendations for pre-employment and post-employment safeguards against conflicts of interests for public officials in Romania. See OECD. 2025. Strengthening the Framework on Pre- and Post-Public Employment in Romania. OECD Public Governance Reviews. Available at https://www.oecd.org/content/dam/oecd/en/publications/reports/2025/02/strengthening-the-framework-on-pre-and-post-public-employment-in-romania_5ab758f7/24381cc1-en.pdf.

broadly, for public sector personnel, as described in previous World Bank analysis)¹¹⁵. The GoR efforts to ensure a coherent approach for HRM in the public administration by enhancing inter-institutional coordination, without structural changes to the institutional architecture, have thus far failed to deliver results.¹¹⁶ In this context, the institutional mandate for HRM for the HLCS should be unified in a single institution, with adequate legal leverage, capacity, and infrastructure to enforce this mandate across the public administration. However, this proposed operating model should ensure that the HRM mandates for HLCS are centralized where possible, but delegated to employing institutions where required, in order to balance the coherence of the system with the operational needs of the day-to-day personnel management of HLCS. Table 8 below provides a summary of the distribution of key HRM functions in the proposed model. These efforts to centralize HRM functions for HLCS should be part of a broader reform to centralize HRM mandates for civil servants and contractual staff in the central public administration, as recommended consistently by previous World Bank analyses.¹¹⁷ However, improving the governance structure for the HLCS can be a first step in this direction, given their critical importance for organizational performance and the relatively lower administrative, technical, and political economy complexity of the task.

Table 8. Proposed distribution of HRM responsibilities for the HLCS

Function	Degree of centralization vs delegation	Proposed split of roles
Planning	Centralized	Central HRM institution to set unitary workforce planning policies and procedures for HLCS; and manage and enforce, at the strategic and operational level, the workforce planning process for HLCS,

¹¹⁵ See World Bank. 2019. Deliverable 1.1 Baseline review of the national framework for HRM and its institutionalization. Developed under the RAS on Developing a Unitary Human Resources Management System Within the Public Administration. Accessible here: <https://documents.worldbank.org/>

¹¹⁶ The National Council for Developing Human Resources in the Public Administration, or the HR Council, was established to analyze, identify and propose to the Prime Minister reform priorities for HRM in the public administration, as well as to endorse strategies and initiatives with an impact on HRM in the public administration. It has never been operational. See Law No. 60/2019 on establishing the National Council for Developing Human Resources in the Public Administration. Similarly, a formally established working group to implement the last public administration strategy (the Strategy for the Consolidation of the Public Administration 2014-2020) has not led to improved implementation of HRM policies. See previous evaluations conducted by the GSG here <http://scap.gov.ro/welcome/page/documente>.

¹¹⁷ E.g., World Bank. 2011. Public Administration Reform: An Overview of Cross-Cutting Issues. Developed under the project “Functional Review of the Central Public Administration in Romania – I”. Available at https://sgg.gov.ro/docs/File/UPP/doc/rapoarte-finale-bm/etapa-I/08_Raport%20-%20cross-cutting%20issues.pdf; World Bank. 2017. Better employment system within Romania’s central public administration. Developed under the RAS on Developing the Capacity of the Central Public Administration to Carry Out Impact Studies. Available at https://www.anfp.gov.ro/R/Doc/2020/Proiecte/Analyze%20rapoarte%20statistice/SIPOCA%2025%20RIA-Report-NACS_EN%202015.pdf; and World Bank. 2019. Deliverable 1.1 Baseline review of the national framework for HRM and its institutionalization. Developed under the RAS on Developing a Unitary Human Resources Management System Within the Public Administration. Accessible at: <https://documents.worldbank.org/>

		based on institutional needs and budgetary resources at the PA level. Employing institutions to provide input on their respective HLCS personnel needs for the workforce plan.
Recruitment and selection	Partially delegated	Central HRM institution to set unitary recruitment and selection policies and procedures for HLCS; and to organize the first stage of recruitment for HLCS, i.e., the national recruitment competition, and ensure that employing institutions select eligible candidates to HLCS positions. Employing institutions to be fully responsible for organizing the on-the-job selection process for their respective HLCS positions, drawing from the pool of eligible candidates who passed the first stage of recruitment; the central HRM institution can participate in the on-the-job selections process, at the request of the employing institution.
Performance management	Partially delegated	Central HRM institution to set unitary performance management policies and procedures for HLCS; to provide methodological guidance and support to employing institutions to apply the PM framework; and to track, evaluate, and report on its use by institutions. Employing institutions to be fully responsible for applying the performance management framework for HLCS.
Career management	Partially delegated	Central HRM institution to set unitary policies and procedures for mobility and career progression; and to oversee and actively manage it through the workforce planning process.

		Employing institutions to provide input to the workforce plan to reflect specific needs.
Learning and development	Centralized	Central HRM institution to be fully responsible for setting the L&D policies and needs for HLCS; and to ensure that L&D needs are met through adequate L&D activities.

Source: Author's elaboration.

107. The NACS meets the institutional prerequisites to centralize the HRM mandate for HLCS under the proposed model, but a new institutional architecture would be required to discharge this mandate. The NACS currently has the core mandate for HRM for civil servants in the public administration, and has been continuously building the enabling infrastructure, capabilities, and processes to discharge it; a similar mandate also extends to the HLCS category. This mandate relates largely to policy and regulatory design and compliance and providing the enabling infrastructure for operational HRM – a prominent exception is the recruitment function, in which the NACS has direct operational HRM responsibilities for the first stage of the national recruitment competition. Taken together, these provide the NACS with the prerequisites to take on the leading role for HRM governance of the HLCS. However, the delivery of this policy mandate is overseen, and, to a large extent duplicated and diluted, by a similar mandate held by the MDPWA, albeit positioned at a higher level of authority in the institutional and regulatory hierarchy. For the NACS to have the institutional, legal, and operational leverage for the effective HRM of the HLCS – as well as for the overall civil service, as part of a broader reform –, its institutional placement and architecture must be adapted to be commensurate with its responsibilities, both current and envisaged. It requires institutional autonomy, a central positioning in government, and an overarching and a unified mandate for HRM for the civil service.

108. The NACS could more effectively deliver this unified HRM mandate as a stand-alone agency/authority placed directly under the PM. Previous World Bank analysis have consistently underscored the inadequacy of the NACS institutional positioning and set-up relative to its mandate for HRM for the civil service, as well as for a potential broadened HRM mandate for contractual staff across the public administration, which would help address the current fragmentation and incoherence of personnel policies in the public administration.¹¹⁸ The analysis found that an optimal institutional architecture for coherent HRM in the public administration would translate into a central, stand-alone HRM agency/authority, with primary budget holder prerogatives, for civil servants and contractual staff – thus, the NACS with a broadened HRM mandate for public administration personnel – placed at the center-of-government, directly under the PM. This set-up would centralize and unify HRM mandates, but would detach them *de jure* and functionally from the broader public administration reform modernization agenda, which would remain at the MDPWA; hence, a robust collaboration arrangement would be required so that personnel policies are fully in line and support the strategic priorities set for the public administration.

¹¹⁸ Ibidem.

109. A high-ranking official should be appointed for the effective functioning and management of the HLCS. The NACS's proposed mandate as the central institution for HRM policies and systems for HLCS should be complemented by the formal introduction and establishment of the role of Head of the Civil Service. This role could be formally assigned to the PM, given its existing mandate over HLCS appointments and dismissals, but, in practice, could be exercised by the president of the NACS, if placed institutionally under the PM. This role would set the strategic agenda for the HLCS (as well as the broader civil service), define and monitor Government-level performance expectations and indicators for HLCS, and would collaborate with the General Secretariat of the Government to ensure that the HLCS can and are effectively delivering the Government's priorities across the public administration.

110. The NACS should increase its capabilities (and demand and supply) for collecting, processing, and using personnel data for HRM policies for HLCS. Currently, the use of data to enable effective management of HLCS, and to inform HRM policies, is minimal and limited to reporting purposes, as highlighted in Chapter 4. To effectively discharge its current and envisaged role, the NACS would have to develop its ICT platforms and systems, and data exchange protocols and data governance framework, to enable it to systematically collect standardized personnel data from across the public administration. In the absence of accurate and timely information, the Government cannot anticipate recruitment needs, identify risks in succession planning, or evaluate whether its pay and training systems remain competitive. Data also allows the GoR to benchmark its performance against OECD/EU peers, and over time, making it possible to set realistic yet ambitious targets for reform. The data should initially cover fundamental HRM indicators, such as vacancy rates, time-to-hire, duration of appointments, succession coverage, internal mobility, training investment, gender balance, and disaggregated wage components and pay compression ratios. Each of these directly relates to an essential HRM policy lever: For instance, monitoring time-to-hire allows streamlining of recruitment procedures; succession coverage guides the design of leadership development programs; and gender balance highlights the need for inclusive outreach and fair selection practices. Table 9 provides a summary of potential fundamental data to collect.

Table 9. Fundamental personnel data for evidence-based HRM for HLCS

Metric	Definition	Policy relevance and use
Vacancy Rate	% of HLCS posts unfilled	High vacancy rates signal recruitment or retention failures. Tracking this allows the central HRM institution to adjust hiring campaigns, launch fast-track competitions, or reallocate talent pools to ensure continuity in critical posts.
Time-to-Hire	Days from vacancy announcement to appointment	A long recruitment process weakens institutional capacity. Monitoring enables simplification of procedures, digital recruitment platforms, or legislative changes to streamline competitions.
Prevalence of interim appointments	% of positions held on interim basis	High interim rates undermine accountability. This metric can guide policy on mandatory competition timelines and succession planning requirements to reduce reliance on temporary appointments.
Succession preparation	Ratio of candidates eligible for HLCS positions (who has passed the national recruitment) to HLCS positions.	The availability of eligible candidates for the immediate filling of vacant HLCS positions reduces reliance on external recruitment and supports continuity. The central HRM institution can introduce structured talent pools, mentoring, or mandatory succession plans within ministries. A ratio of 3 candidates for 1 position could be considered appropriate; however, the optimal ratio will depend on the specific characteristics of the position category concerned, such as technical specialization and retention challenges.
Internal Mobility Rate	% of HLCS moving between institutions	Limited mobility reduces cross-government learning, creates silos, and reduces incentives for change and innovation, while excessive mobility highlights retention issues. Tracking this can inform the design of mobility instruments, mandatory rotations, or incentives for cross-ministry assignments.
Training Investment per SCS	Budget (in RON) spent annually per HLCS on formal training	Low investment limits capability development. Data informs budgetary adjustments, partnerships with training providers, and compulsory leadership programs.
Gender Balance	% women in HLCS positions	Disparities indicate systemic barriers for inclusive policy- and decision-making. This metric supports targeted outreach, and more inclusive personnel policies (e.g., mentoring schemes for women in leadership).
Tenure in Post	Average no. of years of continuous professional	Long tenure in a position can lead to institutional capture and stagnation. Monitoring this metric informs

	experience in current position	adaptations to recruitment and rotation policies, and mobility incentives. Conversely, very short tenures may indicate instability in the role and inadequate safeguards for stability.
Tenure in the HLCS	Average no. of years of continuous professional experience as HLCS	It helps assess career stability in relation to renewal needs. A short average tenure (e.g., up to 3 years, if the HLCS becomes stable) indicates retention problems, while a long average tenure (e.g., more than 9 years, which would imply, under the proposed limited mandates, at least three full terms for the same SCS member) suggests the need for access through lateral mobility or external recruitment.

Source: Authors' elaboration.

5.3 Options for specific changes to improve current HLCS system and prepare it for fundamental reforms

- 111. The proposed operational improvements to the current HLCS framework relate to supporting the full and effective implementation of the ongoing HLCS reform measures proposed by NACS; at the same time, these proposals can lay the groundwork for the fundamental changes described earlier regarding the HLCS operating model..** Sub-chapter 2.3 summarizes the main policy changes proposed by the NACS for the HLCS, as part of the GoR's NRRP commitments. These changes are envisaged to introduce competency-based HRM in the HLCS and should be the foundation for the subsequent changes to the HLCS operating model. Once adopted, these policies would need to be transposed into operational procedures, for their implementation in the public administration. Additionally, to enable these measures to produce the intended effects, inter-linked policies for HLCS and their respective procedures must be adapted accordingly. This chapter summarizes the gaps and proposed changes as part of the operational improvement option for the current HLCS framework, as well as the contributions to the operational procedures related to the ongoing HLCS reform measures.. These procedures aim to offer predictability and clarity for HLCS regarding the expectations, rights, and procedures applicable to their careers. Annex 1 contains the complete proposed input to the respective procedures, while Annex 2 provides an analysis of the discrepancies identified in the regulatory framework governing the HLCS, i.e., the Administrative Code.
- 112. The procedures are designed for SG/DSG and SGPI and cover all major HRM functions relevant to them.** The procedures cover HRM functions which, as of yet, are not defined operationally or have been identified as being ambiguous and underdeveloped. Thus, the proposed procedures cover the following:
- Selection after the first stage of the national recruitment competition
 - Performance evaluation
 - Mobility and rotation

- Learning and development

5.3.1 Recruitment and selection framework for HLCS

- 113. The two committees responsible for selection and for appeals for the HLCS must be appointed and made operational.** Although regulated by the Administrative Code, the committees responsible for recruitment and appeals in the context of HLCS selection are not operational. This lack of action has prevented the roll out of the job-based selection (the second stage of the national competition), for specific HLCS posts, for the candidates admitted in the first (recruitment) stage of the 2023 pilot national competition. The GoR should adopt clear procedures and ensure the timely appointment of both the recruitment and appeals committees. Establishing these committees is essential to operationalize the recruitment system for HLCS, to guarantee transparency and merit-based selection, and to prevent delays that undermine the credibility of competitive recruitment processes.
- 114. The proposed procedure for the selection of HLCS in Annex 1 describes the institutional process to be carried out between the national competition and the appointment of candidates into HLCS jobs.** In accordance with the current legal provisions, the selection and appointment of candidates to SCS positions after the first stage of the national competition should not be conditioned on the adoption of the reforms proposed in the previous sections of this report; therefore, they should not be postponed until the adoption of a legal framework clarifying functions, reporting lines, the mobility system, and governance for HLCS management. On the other hand, *de lege ferenda*, the Government should extend the validity of the list of candidates selected in the pilot national competition until the end of 2026, appoint the recruitment and appeals committees, and organize the selection process in accordance with the proposed procedure. This proposal aims to ensure that the procedure of the 2023 pilot national competition produces the effects envisaged by Annexes 9 and 10 of the Administrative Code..
- 115. The rules and procedure governing the appointment of the recruitment and evaluation committees should be more explicit and aligned with the proposed role.** The proposed procedure aims to address a number of gaps in the current regulatory framework, identified by the legal analysis and that were considered to significantly affect the implementation of the job-specific selection phase. First, the procedure lays out the operational steps that the recruitment committee should follow. Second, the procedure defines the process for the recruitment committee to decide on additional tests; it also defines the specific responsibilities for organizing additional tests. The procedure, however, must be complemented by clarifications in the AC. For example, the AC must clarify the eligibility criteria for the members of the committees responsible for recruitment and evaluation of HLCS, including how “good reputation and high professional competence” can be proved and/or tested.¹¹⁹ For example, good standing could be demonstrated on the basis of administrative, legal, and integrity checks carried out by the competent institutions, certifying that there are no elements that call into question ethical, professional, or civic conduct, and that there are no administrative or judicial findings that would affect the exercise of a public office. Likewise, professional competence could be verified on the basis of professional seniority in HLCS positions or equivalent roles in the private sector and/or public office,

¹¹⁹ This entails changes to Articles 396 and 398 of GEO No 57/2019 on the Administrative Code.

as well as on the basis of competencies demonstrated as an evaluator of competencies for leadership positions, evidenced through professional qualifications and specializations.

- 116. The NACS should be mandated to propose members in the selection and evaluation committees of HLCS.** The current provisions of the AC allow the minister of Development, Public Works and Administration to propose members in the evaluation and selection committee, but not the NACS.¹²⁰ In practice the NACS President had also submitted proposals for these committees, although these structures have never been operationalized. The AC should be amended to include explicit provisions that allow the NACS to propose members of the selection and evaluation committees, to ensure that the NACS's mandate can be fully carried out with respect to monitoring and controlling the application of public service legislation, in accordance with Article 401(1)(e) of the Administrative Code.
- 117. The AC and its Annexes should be revised to ensure coherence and clarity of responsibilities regarding the appointment of HLCS.** This entails complementing Articles 502 and 503 of GEO No 57/2019 on the Administrative Code, in line with the proposals developed for the implementation of Milestone 418 of the NRRP, which includes the roles of rotation for HLCS. Moreover, for appointments, the AC should clarify the process of reassignment of HLCs from the reserve corps of civil servants, and, more specifically, the corresponding responsibilities of the PM and the minister responsible for interior affairs.
- 118. Moving forward, under the new HLCS framework, the selection procedure would be decentralized at the institutional level.** This recommendation concerns the need to amend the Administrative Code once the position-based selection processes of the national competition—launched in 2023 and continued in 2025—are completed. It is important that the reforms already initiated, such as the national competition, be brought to completion and fully capitalized on before taking further steps to strengthen the dedicated SCS model. This would require a substantial amendment of Articles 394 and 396 of the Administrative Code and the elimination of position-based selection for SCS posts through a central committee, replacing it with position-based selection based on procedures and tools for testing specific competencies and selection, developed and applied by the institutions in which candidates are to be appointed. Introducing a legally regulated and limited role for the political leadership in SCS selection—restricted solely to choosing one candidate from the list of qualified candidates who passed the national competition—would at the same time limit the gaps and interpretative margins that previously enabled extensive use of temporary SCS appointments. On the other hand, the structure of the national competition should be improved by enhancing the process for testing general SCS competencies in assessment centres.¹²¹

5.3.2 Performance management for HLCS

- 119. Performance management for the HLCS should fully integrate the general competency framework.** The performance evaluation system should evolve from a model based exclusively on

¹²⁰ Art. 398¹ of GEO No 57/2019 on the Administrative Code.

¹²¹ Details are included in ex-post evaluation of the extended national competition, to be developed under the upcoming Deliverable 5 of this RAS.

objectives to one that integrates both objectives and competencies, ensuring applicability across all categories of civil servants, including HLCS. However, a shift should be made from a formal evaluation process based on ad-hoc defined objectives towards a more comprehensive and meaningful approach, capturing not only measurable results connected with institutional performance objectives and indicators but also the behavioral and professional competencies essential for effective public service.

120. The reform proposed under NRRP Milestone 419 and 418 includes both the competency- based annual evaluation and a performance focused multiannual evaluation. Based on the proposals under Milestone 419, annual evaluations would focus on three main components. First, objectives and performance indicators would be clearly defined, covering both quantitative and qualitative aspects. Second, behavioral descriptors would be associated with general competencies applicable to HLCS. Third, behavioral descriptors would reflect specific competencies as outlined in the standardized job description (*fișa postului*).

121. The procedures for the annual and multiannual evaluations proposed in Annex 1 support the operationalization of the envisaged competency-based performance management framework The proposed procedures provide a clear and comprehensive framework that guides the entire evaluation process. They outline in detail the institutional stages, responsibilities, and timelines that ensure consistency, transparency, and fairness in assessing the performance of civil servants. For the annual evaluation, the procedures specify the steps for setting objectives and performance indicators, defining behavioral descriptors, and compiling evidence of results, followed by the structured assessment carried out by the responsible commission or authority. For the multiannual evaluation, they explain how the management plan, cumulative annual results, and additional contributions such as participation in international initiatives or competency development are to be reviewed and validated. By capturing all activities required for both evaluation cycles in a systematic manner, the procedures aim to streamline the process, reduce ambiguity, and reinforce alignment with standardized job descriptions, competency frameworks, and institutional goals.

5.3.3 Mobility and rotation of HLCS

122. Mobility instruments for HLCs must be explicitly distinguished and their uses regulated and transposed into procedures. Currently, there is no practical distinction, based on clear legal provisions, between mobility of HLCS and reassignment (*mutare*). The amendments are needed to ensure that mobility is used to stimulate performance and professional development, not as a sanction. Also, the explicit provision that transfers and reassignments do not apply to HLCS positions, because in their case the mobility is applied, should be included in the Administrative Code to prevent misunderstanding and inconsistent application of the legal framework.

123. The introduction of rotation as a form of mobility for HLCS, as proposed under Milestone 418 of the NRRP, should be seen as an essential reform for repairing the civil service career and overall system. Currently, many HLCS remain in the same position for long periods of time, although based on temporary appointments, which can lead to the political capture and vulnerability of the role. Introducing a structured rotation procedure would enhance the stability and predictability for the civil service system, both for HLCS, who would be prioritized for job openings nearing the end of their

mandate, but also for lower-tier civil service managers, for whom promotion opportunities would open up.

- 124. The proposed procedures introduce the rules, responsibilities, and process for the mobility and rotation measures for HLCS introduced under the NRRP.** These procedures define the institutional responsibilities, timelines, and selection criteria for rotation, ensuring that decisions are based on merit, competency frameworks, and institutional needs rather than discretionary or *ad hoc* practices. They also specify the mechanisms for planning and coordinating rotations across institutions to avoid disruptions in continuity. By systematizing all stages and activities related to mobility and rotation, the procedures aim to transform mobility from a largely administrative instrument into a structured process intended to strengthen leadership capacity, reduce politicization, and promote professional development..

5.3.4 Employment conditions and arrangement for HLCS

- 125. Clear rules must be defined to ensure the proper management of temporary appointments.**

Explicit and detailed rules should be introduced for temporary appointments to SCS positions by public authorities or institutions when their expertise is needed temporarily, even if no official SCS vacancy exists. Such clarification would strengthen the current legal framework on mobility, which already allows SCS members to be assigned, in exceptional cases, to coordinate complex situations falling within the scope of SCS responsibilities, without requiring the existence of a vacant or temporarily vacant position. At present, the law contains a gap: it permits mobility “in the public interest” or for “the functioning of public authorities and institutions,” but it does not clearly regulate situations in which institutions temporarily require SCS expertise in the absence of a vacant position.. Currently, the law includes a gap: it permits mobility “in the public interest” or for “carrying out the activity of public authorities and institutions” but does not clearly regulate situations where institutions temporarily need HLCS expertise in the absence of a vacant position. As a result, authorities may justify such needs on the broad ground of “public interest,” while GI themselves may also identify complex situations and request to be assigned through mobility. This ambiguity may create inconsistent practices and weakens predictability.¹²²

- 126. The legal provision on temporary assignments of HLCS (if such assignments remain permissible) should be complemented to ensure both the fact that the situation should be exceptional and to provide additional criteria to ensure the mechanism is not abused.**¹²³ The amendments needed include:

- Requiring public authorities and institutions to try to permanently fill in the HLCS positions before using temporary assignments and before extending the term for such assignments or before re-issuing the administrative act for a temporary assignment for the same HLCS position.
- Including clear limitations on the use of temporary assignments of HLCS.

¹²² This entails changes to Articles 215 and 216 of Annex No 10 to GEO No 57/2019 on the Administrative Code.

¹²³ This entails changes to Article 509 of GEO No 57/2019 on the Administrative Code.

- Including reassignment of HLCS from the reserve corps of civil servants as an option to be exhausted prior to filling a HLCS position on a temporary basis (if temporary assignments will still be possible in the future).
- Regulating the verification of both the general competencies for the HLCS category and the specific competencies required for the post. At this moment, the legal framework only requires for the specific competencies to be checked in cases of temporary assignments.
- Limiting temporary assignments for HLCS positions only to civil servants in senior management positions (e.g., DG and equivalent).

5.3.5 Performance management and L&D

- 127. The L&D framework for HLCS must enable competency gaps to be identified and addressed, in relation to the applicable general competency framework for the civil service.** The professional development of HLCS should be based on a robust learning and training needs analysis (TNA) that can identify competency gaps and translate them into learning objectives and, ultimately, suitable learning interventions. The L&D framework should define the institutional responsibilities for each part of this process, to ensure that it is linked to strategic government priorities and that is integrated within the HRM cycle for HLCS - particularly, career development and performance management functions.
- 128. The proposed procedure on training needs assessment, planning, and implementation for HLCS is designed to address long-standing weaknesses in the current system.** These issues include fragmented responsibility, lack of consistency in identifying priorities, and insufficient monitoring of results. By establishing a standardized approach coordinated by the NACS, the procedure ensures that institutional training plans are aligned with national priorities, that the assessment of needs is systematic and evidence-based, and that implementation is supported through clear responsibilities and timelines. This creates a more coherent and predictable framework that reduces duplication, improves the targeting of resources, and strengthens the link between professional development activities and the actual competency gaps of HLCS. In doing so, the procedure contributes to enhancing both the effectiveness and the credibility of training and development as a core instrument of HLCS management.
- 129. The proposed procedure establishes a structured process for the NACS to discharge its L&D mandate for the HLCS.** The proposed procedure in Annex 1 outlines the link between the TNA, the competence gap analysis and the design and delivery of learning and development programs, clarifying institutional roles.
- 130. Institutional roles and responsibilities for the L&D functions for HLCS should be aligned with institutional mandates for the other HRM functions for HLCS.** This includes clarifying institutional roles and responsibilities for assessing training needs, planning training activities, and planning professional development for HLCS; evaluating the training provided to the HLCS and its outcomes; as well as defining training programs dedicated to the HLCS and the criteria for participation in such

programs (taking into account, among other aspects, the strategic role of the HLCS in promoting innovation in public administration, digital transformation, and strengthening institutional resilience). In addition, regarding the provisions on professional development and training, the Administrative Code and subsequent administrative acts should update the terminology used, particularly when referring to general and specific competencies.¹²⁴

- 131. The HLCS in Romania require a dedicated L&D policy that goes beyond general civil service training instruments and supports their strategic leadership role.** Developing a broader, updated, strategic approach L&D for HLCS will require updating future strategies for civil service development and for training to include dedicated sections specifying training needs and potential training offerings for them, which should be distinct from the general training priorities for the entire public administration. Under the current RAS, an executive development program (EDP) for HLCS is being piloted,¹²⁵ which represents a foundation for a future L&D program dedicated to HLCS needs. However, the EDP must be transposed into a regulatory framework that provides it with a solid legal basis to be recognized as an official development program in public administration. Thus, the EDP must be integrated into the current legal framework on training and development in public administration in Romania as a specialized training program.

¹²⁴ This entails complementing Articles 395, 458 and 459 of GEO No 57/2019 on the Administrative Code and the modification of GD No 832/2007 for the approval of the Regulation on the organization and conduct of the specialized training program for filling a high-level civil service position, GD No 1066/2008 and subsequent Orders (normative administrative acts).

¹²⁵ World Bank. 2025. Deliverable 1: Report with proposal for a Capacity Enhancement Program for senior management civil servants. Developed under the Reimbursable Advisory Services Agreement to Support to the National Agency for Civil Servants on Human Resource Management Reforms in Romania (P503309).

6. Pre-requisites for the sustainability of the proposed options for the improvement and transformation of the HLCS

- 132. The sustainable transformation of the HLCS framework in Romania depends first and foremost on the quality of the legal provisions that will modify and complement the Administrative Code.** Reforms to the HLCS operating model must be legally coherent, internally consistent, and drafted with clear definitions, precise terminology, and minimal scope for discretionary interpretation. Only a robust and well-structured legal framework can provide the predictability and authority needed for HLCS to function effectively across political cycles.
- 133. The proposed options for the improvement and transformation of the HLCS can be mutually reinforcing, but must be sequenced to prioritize establishing the function before designing the form of the HLCS.** The GoR should first establish the function of the HLCS in terms of its mission, mandates, and job classification, so that the roles, scope, and required competencies of the public administration's top civil service leaders are clearly articulated and consistently applied across institutions. Only once this functional foundation is in place should the form of the system be effectively developed, meaning HRM mechanisms, institutional arrangements, and accountability policies that will enable the HLCS to operate as intended. Prioritizing this order ensures that structural and procedural reforms are grounded in a coherent understanding of what the HLCS is designed to achieve, allowing subsequent HRM, recruitment, and performance systems to support and sustain a professional, merit-based, and accountable HLCS.
- 134. The transformation of the HLCS must be integrated within a broader strategy for the public administration in Romania.**¹²⁶ The GoR should modernize the operating model for Romania's HLCS as part of a coherent, system-wide effort to modernize public administration, not as a fragmented or *ad hoc* initiative. The HLCS play a pivotal role in transforming political priorities into administrative execution, and their effectiveness directly impacts institutional performance, policy coherence, and service delivery. Isolated reforms risk creating inconsistencies with interconnected, ongoing HRM reforms in recruitment and selection processes, performance management, wage system and policies, mobility policies, and L&D policies. A holistic approach should align these reforms with Romania's broader public administration modernization agenda, and with EU-level related initiatives and commitments, such as the ComPact¹²⁷ and the investments and milestones on better governance in the NRRP.¹²⁸ It should also be linked with the GoR's commitments for reform as part of the OECD accession process, negotiated in the Public Governance Committee. Such integration can facilitate coherence between policy, institutional arrangements, and resource allocations.

¹²⁶ Deliverable 3 under the RAS on contributions to the civil service strategy will provide recommendations for translating the proposed reform of the HLCS into the next strategic framework for the civil service.

¹²⁷ European Commission. 2023. Enhancing the European Administrative Space (ComPact). COM/2023/667 final.

¹²⁸ Government of Romania. 2021. National Recovery and Resilience Plan, Component C14: Good Governance.

135. Transforming the HLCS in Romania, once anchored in a new legal, procedural, and strategic framework, will require investing in developing a performance-driven organizational culture in the public administration. Legal change alone cannot produce a professional, high-performing civil service leadership corps unless institutions also shift from a compliance-based culture, focused on process and hierarchy, to one rooted in accountability for results, performance, and public value creation. This paradigm shift means redefining how success is understood and rewarded in the civil service: HLCS should be assessed not by procedural conformity or political alignment, but by their ability to deliver measurable outcomes, drive institutional performance, and model integrity and professionalism. This requires a set of self-reinforcing drivers of change, sustained across several political cycles:

- **Political leadership committed to the reform.** The political leadership must personally drive transformation, define a compelling reason for change, and demonstrate visible commitment. This vision should be materialized into a coherent mission and integrated strategic goals across institutions. Each primary credit authorizing officer should articulate measurable, outcome-based objectives through its ISP and link these to personnel performance targets. Operationally, this vision should be supported by a dedicated transformation team in each of the primary credit authorizing officers, with cross-functional representation from HR, budget, planning, and change management specialists to sustain reform momentum and track progress over years, not months.
- **Institutionalization and continuous learning.** The GoR must prioritize long-term investment in leadership development, creating structured pathways for learning, mentoring, and mobility that build a shared ethos of stewardship and innovation – the Executive Development Program proposed and piloted under this RAS should be formalized, institutionalized, and scaled up for the entire HLCS and DG categories, through a partnership between the NACS, the institution mandated for the L&D of HLCS, and academia¹²⁹

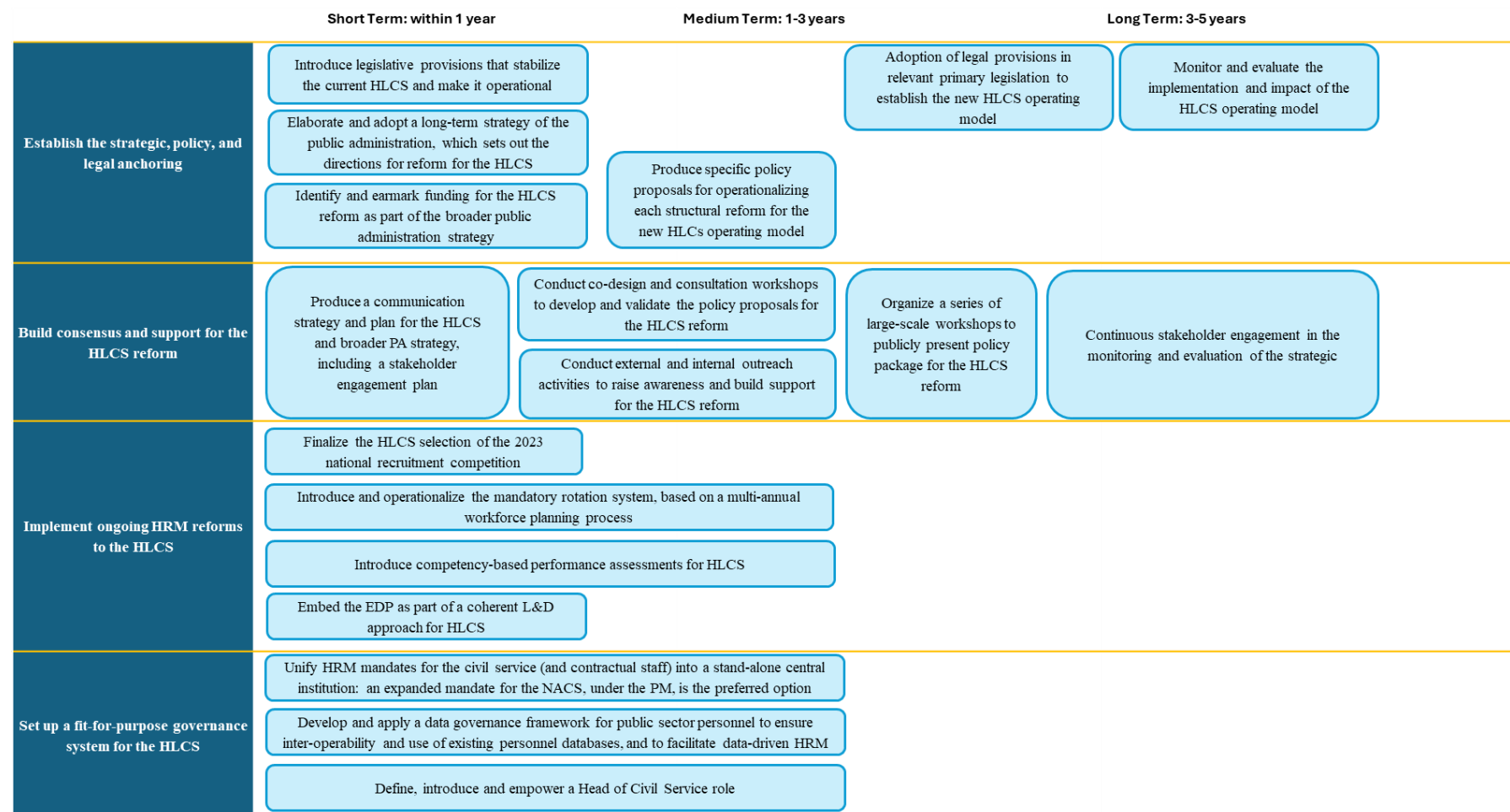
136. The HLCS transformation agenda in Romania requires stable and credible sources of financing. Adequate funding would be needed to support the full implementation, institutionalization, and continuous capacity building for all stakeholders involved in the implementation of the HLCS transformation. To complement the historical gaps in financing from the national budget, EU financing sources such as the Cohesion Policy and the Technical Support Instrument (TSI) could be mobilized to finance activities ranging from training and digital tools to monitoring systems and evaluation mechanisms. However, given that, currently, the Multiannual Financial Framework 2028-2034 does not foresee dedicated funding for interventions related to the modernization of public administrations, the GoR should plan, for the long-term, how to better prioritize, select, and sequence the envisaged reforms initiatives for the public administration. This planning should materialize into a strategy for the public administration, with a realistic and clearly assigned action plan, with costing linked to credible funding sources.

¹²⁹ Deliverable 5 under this RAS will develop recommendations for the institutionalization and sustainable implementation of the Program.

- 137. The sustainability of reforms requires intense and stratified communication activities.** To ensure the success and sustainability of the proposed transformation process, the GoR must develop and implement a stakeholder engagement and communication strategy throughout the entire process. The introduction of a new operating model for the HLCS, as part of the broader public administration and HRM modernization agenda, will require significant changes in the day-to-day functioning of the public administration. Clear, consistent communication will be essential to build understanding, secure buy-in, and minimize resistance from the outset of the process. The NACS should take the lead in designing and coordinating a dedicated communication strategy specifically for the HLCS transformation. This strategy should define distinct objectives for each stage of the reform, namely preparation, implementation, and post-implementation institutionalization, with each being supported by a detailed communication plan outlining activities, timelines, responsibilities, and budget requirements. The communication strategy and plans should be finalized and endorsed before the initial stakeholder consultations to ensure coherent, aligned messaging throughout the reform process.
- 138. All communication activities should be informed by a structured stakeholder mapping that identifies the key actors involved in the HLCS transformation.** This allows NACS to focus its limited resources on those stakeholders most critical to the reform's success, rather than dispersing efforts across actors with marginal influence or low relevance. Stakeholders should be prioritized based on three criteria: (i) impact, i.e., the extent to which their roles, responsibilities, workload, or performance expectations will change and whether they require new skills or procedures; (ii) capacity to influence, i.e., their decision-making authority, involvement in the reform process, or ability to shape implementation through analysis, validation, or operational support; and (iii) likelihood of resistance, i.e., their anticipated level of opposition, ranging from minimal to entrenched, which will determine the intensity and targeting of communication efforts. This prioritization will help NACS tailor communication strategies to build awareness, address concerns, and foster support where it matters most.
- 139. The measures required for the effective implementation of the HLCS transformation should be sequenced into short-, medium-, and long-term phases.** In the immediate term, the GoR must introduce the necessary legal amendments to ensure that the ongoing reform measures to the current HLCS model are finalized, particularly by re-establishing the HLCS through stable appointments via the national recruitment competition. These steps will provide the structural reform with a solid foundation by securing human resources prepared to assume newly clarified roles and responsibilities. At the same time, the GoR must ensure strategic coherence across reforms, and start obtaining the buy-in of the public administration with stakeholder mapping and the design of an engagement and communication plan. This early involvement should stimulate debate on the impact of the HLCS on administrative performance and on the measures required to secure a professional, politically neutral, and stable HLCS capable of guaranteeing continuity, legality, efficiency, and integrity in Romania's public administration.
- 140. In the medium term, the reform needs to be designed in detail, with precise legal amendments aligned to the future strategy of public administration in Romania.** This phase should rely on broad consultation to ensure legitimacy and support. The design of the reform details should ensure sufficient support from key political and institutional stakeholders to guarantee the adoption of the reform

measures, their integration in the legal framework and institutionalization. In parallel, identifying sustainable financial resources must start early, including integrating public administration reform into the negotiations for the future EU Multiannual Financial Framework (MFF) 2028–2034. Equally important are actions aimed at establishing adequate governance for the HLCS. Figure 12 summarizes the roadmap for designing and introducing the proposed HLCS operating model.

Figure 12. Roadmap for introducing the proposed HLCS operating model



Source: Authors' elaboration.

Annex 1. Input to operational procedures

Procedure 1. Selection for each position of HLCS (stage two of the national competition) for the candidates selected through the pilot national competition (in 2023)

The proposed procedure describes the institutional process to be carried out between the national competition and the appointment of candidates into HLCS jobs for the candidates selected in 2023. It is intended to support the appointment of candidates already selected through a competency-based process, namely the pilot national competition organized in 2023. Supporting the implementation of the current legal framework, the steps to be taken by the recruitment committee are provided and described. Second, the process for deciding on additional tests and the responsibilities for organizing additional tests, if needed, are clearly identified.

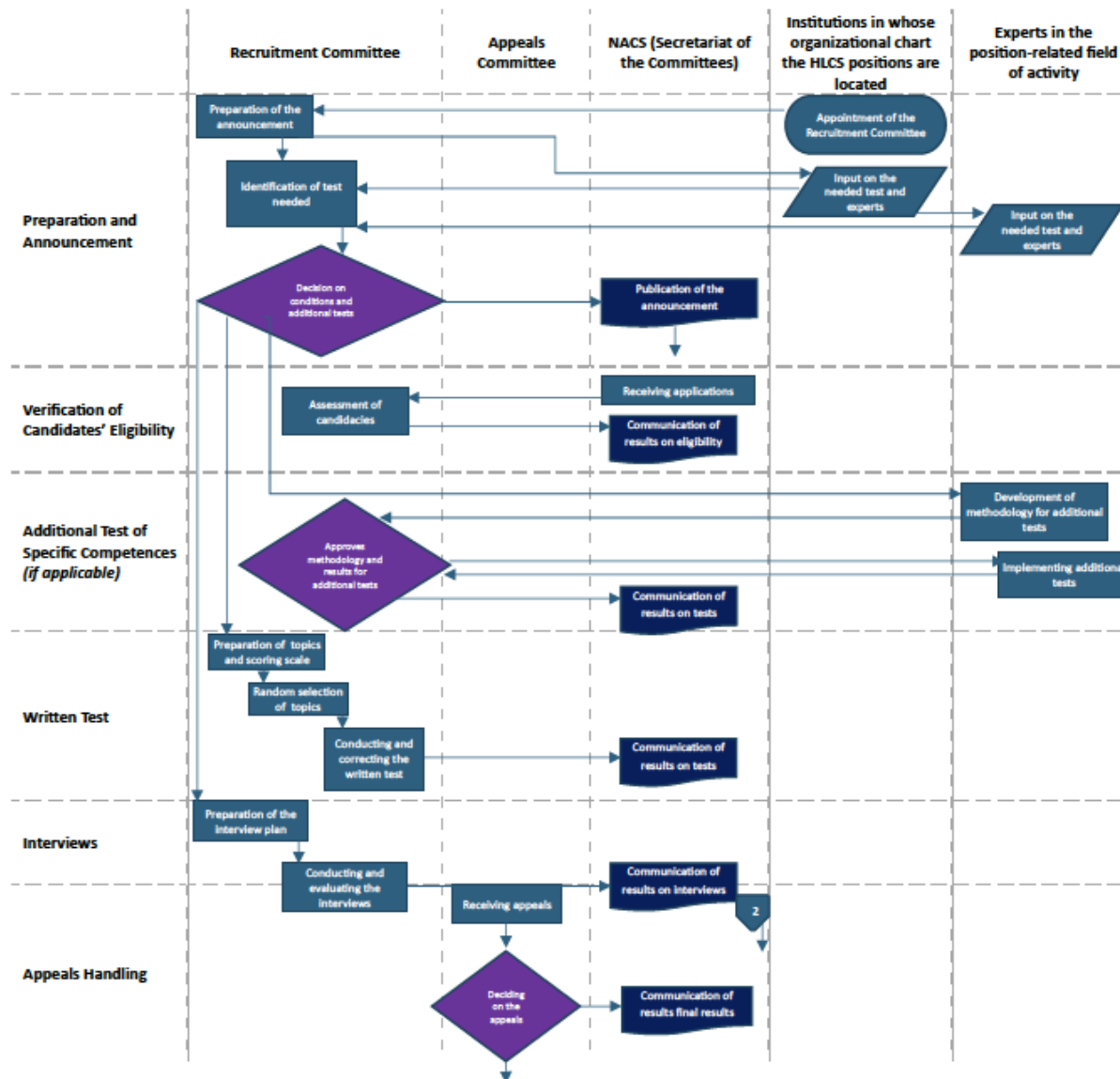
RACI diagram for selection for each position of HLCS

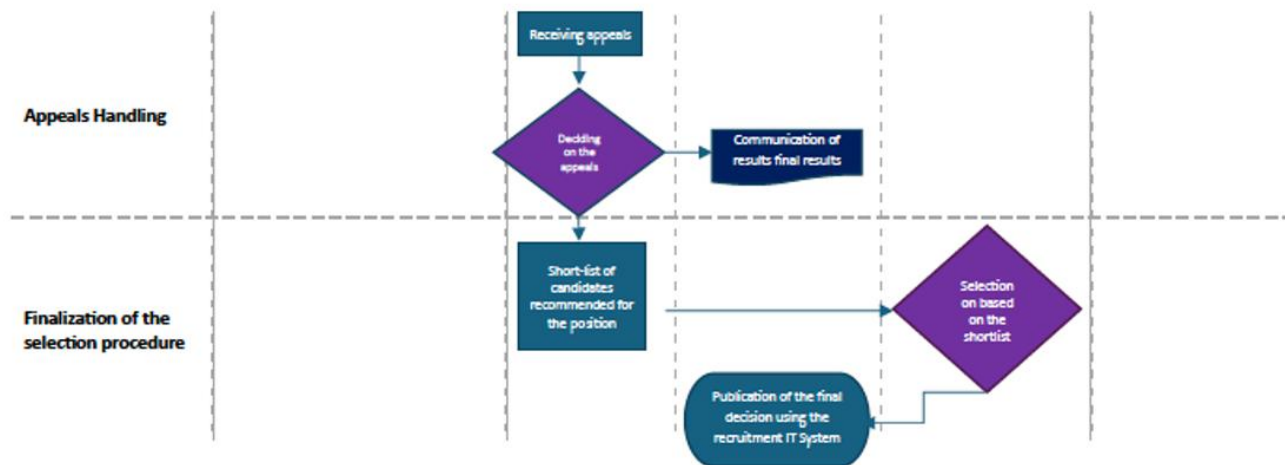
SUBPROCESS: SELECTION FOR EACH POSITION OF HLCS		SUBPROCESS STAKEHOLDERS					
Stages	Activities	Recruitment Committee	Appeals Committee	NACS (Secretariat of the Committees)	Institutions in whose organizational chart the HLCS positions are located	Experts in the position-related field of activity	Prime Minister
Preparation and announcement	1. Formulation of announcement, including conditions for each vacancy for positions of SG, DSG and SGPI	R/A	I		I		I
	2. Identification of test needed for the assessment of specific competences	R/A		I	C	C	
	3. Appointment of an expert for the assessment of specific competences	A		R	C	C	
	4. The announcement is published using the recruitment IT System	A	I	R	I		I
Verification of candidates' eligibility	5. Receiving applications for each vacancy	A		R			I
	6. Assessment of the candidates' eligibility	R/A		I			
	7. Communication of results of the verification of candidates' eligibility	A		R	I		

SUBPROCESS: SELECTION FOR EACH POSITION OF HLCS		SUBPROCESS STAKEHOLDERS					
Stages	Activities	Recruitment Committee	Appeals Committee	NACS (Secretariat of the Committees)	Institutions in whose organizational chart the HLCS positions are located	Experts in the position-related field of activity	Prime Minister
Additional test of specific competencies (if applicable)	8. Development and approval of a methodology for the assessment of specific competences	A		I		R	
	9. Conducting the additional test for the assessment of specific competences	A		I		R	
	10. Communication of results of the additional test	A		R	I		
Written test	11. Preparation of exam topics and scoring scales	R/A		I			
	12. Selection of exam topics, randomly, using the IT system	R/A		I			
	13. Conducting the written test	R/A		I			
	14. Correction of written test	R/A		I			
	15. Communication of results of the written test	A		R	I		
Interviews	16. Preparation of the interview plan	R/A		I			
	17. Conducting the interviews	R/A		I			
	18. Evaluation of interviews	R/A		I			
	19. Communication of results of the interview	A		R	I		
Appeals handling	20. Receiving appeals		A	R			
	21. Deciding on the appeals		R/A	I			
Finalization of the selection procedure	22. Formulation of the final recommendation for a short-list of candidates recommended for the position	R/A	or R/A	I	I		I
	23. Decision of the (political) institution head, based on the short-list of up five, unranked candidates			I	R/A		I
	24. Publication of the final decision using the recruitment IT System	A		R	I		I

Note: A = Accountable, C = Consulted, I = Informed, R = Responsible.

Business process flow diagram for selection for each position of HLCS





Detailed descriptions for activities election for each position of HLCS

Process activities	Details of the procedure
Preparation and announcement	The members of the Recruitment Committee meet within 30 days from the end of the national competition stage for the HLCS to elaborate the announcement and the calendar for the competition for the position of civil servants in the category of HLCS. The Committee draws up the calendar and the announcement of the selection for each position of SG, DSG and SGPI. The announcement contains: a) the list of civil servants in the category of HLCS for which the selection stage for the position is organized, and the list of respective job descriptions, which contain the necessary specific competencies; b) the period and method of registration, indicating the procedure for submitting the file for the competition for the position according to art. 94 of Annex no. 10 of the Administrative Code; c) the conditions of participation for each civil service in the category of HLCS for whom the selection stage for the post is organized, including the specific competences required for each position; d) the calendar of the competition for the position, including: i. Deadline for submitting applications ii. the date on which the candidates' eligibility verification is completed and the list of candidates declared admitted to the next test will be published; iii. the date, time and place of the additional test, if applicable; iv. date, time and place of the written test; v. the date, time and place of the interview; vi. the dates by which appeals are submitted and the dates by which the final list of candidates admitted for the next tests, for each test, is to be published. e) the bibliography for each civil service in the category of HLCS for which the selection stage for the position is organized; f) the form of the additional test, for each function for which it is organized, if applicable; g) Interview plan for the position for which the competition is organized h) contact details for additional details, established at the level of the Recruitment Committee, at NACS. The Recruitment Committee decides, based on the opinion of the majority of members, on the competences to be tested by additional test, if applicable, for each high-level civil service function included in the selection process (each position of SG, DSG and SGPI). Experts and the institutions in whose organizational chart the position corresponding to HLCS are located are consulted in order to decide on additional tests. If such additional test(s) is/are deemed necessary, the Recruitment Committee selects an expert for the management of the additional test(s), either (a) from among the members of the Committee or (b) from among the civil servants of the public authority(es) or institution(s) in whose state of functions the vacancy(es) for which the competition is organized is/are located, or (c) shall request the NACS to provide/recruit an external expert or external experts, as the case, for the assessment of specific competences in assessment centers. In the case of recruiting external expert(s), the Recruitment Committee shall elaborate

Process activities	Details of the procedure
	(when drawing up the calendar of the selection for each position), the technical specifications for the external expert(s) and submit them to the NACS. The NACS ensures the recruitment of the external expert(s), through direct procurement, or public procurement, if the case. In this case, the selection calendar shall be adjusted accordingly, in order to allow the contracting of the external expert(s), only for the HLCS position(s) for which the additional test(s) is/are necessary. The Secretariat of the Recruitment Committee within NACS is responsible for publishing the announcement, as prepared by the committee, on the civil service recruitment IT platform.
Verification of candidates' eligibility	Candidates are submitting applications using civil service recruitment IT platform. All applications submitted by the deadline are considered. Within two days from the deadline for applications, the members of the Recruitment Committee analyze the lists of candidates and fill in a declaration stating that they are not in a situation of conflict of interest. If in such a situation, the member of the Recruitment Committee in case will inform the official that has the mandate to appoint them (e.g. the Prime Minister) and a substitute member will be appointed. Within a maximum of two working days from the deadline for submitting the application, the members of the Recruitment Committee request candidates to submit additional relevant documents (from the category of those provided for in art. 94 para. (2)-(4) of Annex no. 10 of the Administrative Code). The request is communicated through the recruitment IT platform, on the candidate's account, according to art. 97 para. (5) and (6) of Annex no. 10 of the Administrative Code. The requested documents are uploaded by the candidates to the IT platform within a maximum of one working day from the date of the request. Within a maximum of 3 working days from the submission of the applications, the members of Recruitment Committee examine the applications and mark each application with the mention "admitted" or "rejected", accompanied, if the case, by the reason for the candidate's rejection. In order to comply with the 5-day deadline for the verification of eligibility, provided for in art. 97, para. (2) of Annex no. 10 of the Administrative Code, within a maximum of 5 working days from the submission of the applications, the members of the Recruitment Committee shall meet to decide on the admission or rejection of the applications, if there are differences of opinion after the individual assessment of their eligibility. According to art. 97 para. (4) of Annex no. 10 of the Administrative Code, in the event that there are differences of opinion between the members of the Recruitment Committee, that could not be resolved by mutual agreement, the application will be declared admitted or rejected depending on the majority opinion, recorded according to the individual mentions in the corresponding section of the recruitment IT platform. The member of the Recruitment Committee who does not agree with the majority opinion shall formulate a separate, reasoned opinion and record it in the individual section of the recruitment IT platform.
Additional test of specific competencies (if applicable)	The expert(s) appointed to manage the additional test draw(s) up a methodology for examining and scoring the additional test and inform(s) the members of the Recruitment Committee, in writing, of all aspects related to the additional test. The Recruitment Committee approves the examination and scoring methodology for the additional test, at the proposal of the designated expert(s). To approve the methodology, the members of the Committee may ask the expert(s) for clarifications and may suggest reasoned modifications. The approval meeting and, if applicable, the modification of the examination and scoring

Process activities	Details of the procedure
	methodology for the additional test(s) shall take place at least 10 working days before the date set for the additional test, shall be audio-recorded and recorded in a report of the Recruitment Committee. The additional test shall be organized in the Assessment Centers organized for the recruitment phase (for the advanced testing). The candidates' access to the Assessment Centers shall be made following the verification of their identity by the Recruitment Committee, on the basis of their identity document. The candidates' access to the Assessment Centers shall be allowed only until the time provided for the additional test(s) beginning. Throughout the duration of the additional test(s), only the members of the Recruitment Committee and the expert designated for its management have access to the rooms assigned for the tests. The examination and scoring of the candidates for the additional test(s) is carried out according to the methodology approved by the Recruitment Committee. Results of the additional test shall be communicated through the care of the Secretariat of the Recruitment Committee, using the IT platform, in the candidate's account, the candidate receiving a notification by e-mail.
Written test	The Recruitment Committee draws up the sets of subjects for the written test, the maximum score for each subject, which shall be communicated to the candidates together with the subjects, as well as the related correction scale and each member shall upload the proposed subjects, according to art. 99 of Annex no. 10 of the Administrative Code, in the IT platform for automatic extraction of subjects on the day of the written test. The chairperson of the Recruitment Committee shall ensure the random draw, using the IT tool, of two sets of subjects accompanied by the related correction scale, no later than two hours before the written test. In carrying out the written test, the provisions of art. 100 of Annex no. 10 of the Administrative Code. The candidates' access to the testing room shall be made following the verification of their identity by the Recruitment Committee. Candidates' access to the testing room is allowed only until the time provided for the written test. Throughout the written test, only the members of the Recruitment Committee have access to the room. The duration of the written test is 3 hours, it shall be announced to the candidates at the beginning of the test and shall be counted from the moment when the distribution of the test subjects for all candidates. In the room where the written test takes place, candidates are not allowed: a) to hold and use documents or any kind of documentation and information material, regardless of the way they are archived and presented; b) to have electronic means of distance communication; c) to communicate with each other. The elimination of the candidate from the competition takes place in the following cases: a) failure to comply with the rules provided above; b) attempting to cheat the written test; c) leaving the test room before the end of the written test without submission of the test; d) exceeding the time for answering the written test (3 hours).

Process activities	Details of the procedure
	In exceptional and justified situations, the candidate may leave the room only with the agreement of the Recruitment Committee, for a short period of time and accompanied by a member of the Committee. During the written test, the members of the Recruitment Committee may not give the candidates indications regarding the tests and may not make changes to the subjects or scales. The Recruitment Committee may formulate clarifications for the candidates regarding any material errors found in the drafting of the subjects and, if for this reason the time allocated to solving the subjects is affected, it may decide to extend the competition time accordingly. At the end of the time allowed for the written test (3 hours), the candidates submit to the Recruitment Committee the papers with their written tests and the drafts, if used. If the test is digital, only the drafts are submitted physically. The drafts are archived separately and cannot be taken into account when correcting the tests. The candidate signs when submitting tests and/or drafts, in the centralizing slip. In the event that at least 2 candidates participate in the written test, the presence of at least 2 candidates in the room shall be ensured throughout the written test. The Recruitment Committee provides candidates with sheets of paper bearing the NACS stamp in the upper right corner, which can be used as drafts. <i>If the written test is not carried out digitally, but take on paper, it shall be written on a set of sheets of paper bearing the NACS stamp in the upper right corner, made available to the candidates by the Recruitment Committee before the start time of the written test. The tests shall be written with writing instruments made available by the Recruitment Committee, to avoid identification signs for the tests. Clear rules on corrections will be communicated to candidates. If candidates wish to transcribe their tests, without exceeding the established time, they receive other sheets of standard paper. The sheets initially used are cancelled on the spot by the Committee and kept under the conditions established for the drafts. The tests that are not following the format rules prescribed, which have distinctive signs that would allow the identification of the author/candidate, or in which the inscription of the candidate's name was made outside the sealed section shall be canceled. The cancellation of the tests is motivated and mentioned in the centralizing slip regarding the tests submitted.</i> If the written test is not a grid test with automatic scoring, the members of the Recruitment Committee correct the written tests within 3 days from the date of completion of the written test, at the NACS headquarters or in another locality determined by the commission's decision before the start of the written test. The tests are corrected while sealed, by each member of the Recruitment Committee, based on the correction scale and each subject shall be scored by each member of the Committee with the score according to the correction scale. The scores are noted by each member of the Committee in the individual form (included in Annex 10 of the Administrative Code). The score for the written test is awarded based on the arithmetic average of the scores awarded by each member of the Committee. In order to be declared admitted to the written test, the candidates must obtain a minimum score of 70 points in each subject. If there are differences of more than 10 points between the scores awarded by the members of the Recruitment Committee, the test is re-scored by each Committee member. The re-scoring procedure is carried out only once, and, if the difference is

Process activities	Details of the procedure
	maintained even after re-scoring, the final score will be calculated as the arithmetic mean of the scores awarded by the members of the Recruitment Committee. The member of the Recruitment Committee who awarded the lowest, respectively the highest score, justifies the score awarded in the individual form for scoring. After the unsealing of the papers according to Article 107 of Annex no. 10 of the Administrative Code, the results of the written test shall be communicated through the care of the Secretariat of the Recruitment Committee, using the IT platform, in the candidate's account, the candidate receiving a notification by e-mail.
Interview	The provisions of Articles 101-104 and 108 of Annex no. 10 of the Administrative Code regarding the conduct and scoring of the interview test shall apply accordingly. The interview verifies specific competencies necessary for the exercise of public office, which have not been verified through other tests, as well as the motivation of the candidates. The interview is carried out according to the interview plan drawn up by the Recruitment Committee on the day of the interview, based on the evaluation criteria. The evaluation criteria for the interview plan are: a) the ability to analyze and synthesize; b) oral communication skills specific to the specialty; c) the candidate's motivation; d) behavior in crisis situations, relevant to the specialty; e) any other attitudes, skills and abilities that prove the fulfillment of the specific competency necessary for the exercise of public office; f) the exercise of decision-making control; g) the professional and managerial experience of the candidates relevant to the specialty. Only candidates declared "admitted" to the written test may participate to the interview. The interview is usually organized within a maximum of 8 working days from the date of posting the result of the written test. The date, time and place of the interview are posted together with the results of the written test. As an exception, in the event that only one candidate has been admitted or presented for the written test, who subsequently passes this test, at the written request of the candidate and with the agreement of the Committee members, the chairperson of the Committee may approve the reduction of the term for the interview, with the cumulative fulfillment of the following conditions: a) the candidate has become aware of the result of the written test; b) the candidate does not intend to contest the result obtained in the written test. During the interview, each member of the Recruitment Committee asks at least one question to the candidate. Questions regarding the candidate's political opinions, trade union activity, religion, ethnicity, financial status, social origin or that may constitute discrimination under the law may not be asked. The interview is scored based on the evaluation criteria set out above and the maximum scores set by the Recruitment Committee for these criteria through the interview plan. The members of the Committee award score for each of the evaluation criteria, for candidate. Scores are recorded in the individual form provided for in Annex 10 to the Administrative Code. The

Process activities	Details of the procedure
	final score for the interview of each candidate is established as the arithmetic average of the scores awarded by each member of the Recruitment Committee. The scores obtained by each of the candidates and the mention "admitted" or "rejected" are communicated through the IT platform, to the candidate's account, the latter receiving a notification by e-mail, through the care of the Secretariat of the Recruitment Committee. The member of the Recruitment Committee who cumulatively meets the following conditions may participate in the videoconference system in the interview: a) the medical situation, proven by supporting documents, does not allow him to physically participate in the interview; b) does not have an appointed substitute; c) by his absence, the quorum necessary for the interview cannot be ensured.
Appeals handling	The provisions of Articles 110-115 of Annex no. 10 of the Administrative Code on the management of appeals shall be applied accordingly. Within one working day from the date of communication the result of the verification of candidates' eligibility, written test or interview, dissatisfied candidates may file an appeal through the recruitment IT platform. The Secretariat of the Recruitment Committee shall centralize the appeals and communicate them to the members of the Appeals Committee. In the event of appeals filed against the result of the verification of candidates' eligibility, the Appeals Committee verifies, through the IT platform, the documents of the appealing candidate(s), within a maximum of two working days from the deadline for submitting appeals. In the event of appeals filed against the result of the written test or interview, the Appeals Committee analyzes the written test(s) or the recordings of the interview(s) responses only for the appealing candidate(s), within a maximum of two working days from the deadline for submitting appeals. Each member of the Appeals Committee scores the written test(s) and/or the interview(s) using individual forms, provided for in Annex 10 to the Administrative Code. Scoring rules provided for written tests and interviews apply for appeals as well. The Appeals Committee admits the appeal by modifying the result of the verification of the candidates' eligibility, respectively the score awarded by the Recruitment Committee, if needed. If the candidate does not meet the conditions to participate or score awarded by the Appeals Committee are lower than or equal to the scores awarded by the Recruitment Committee, the appeal is rejected. Appeals results are communicated using IT platform, in the candidate's account, the latter receiving a notification by e-mail. In the event of the appeal being rejected, the candidate may address the administrative court, under the terms of the law.
Finalization of the selection procedure	Upon completion of the selection, a final report of the selection stage is drawn up using the form in Annex 10 to the Administrative Code. The proposed reform is to draw a short-list of up to five unranked candidates to be presented to the (political) institution leadership, that will be able to select the candidate that will ensure the best level of cooperation at institutional level.

Process activities	Details of the procedure
	The final results of the selection, based on the preference of the (political) institution leadership, as well as and the final report are uploaded to the competition IT platform by the Secretary of the Recruitment Committee and communicated to the Prime Minister for the appointment of the HLCS.

Procedure 2. Performance management of HLCS (annual)

The assessment of competencies within the performance evaluation procedure is based on the reform proposed under NRRP Milestone 419. The performance management and evaluation focused on performance objectives and indicators follows the legal provisions in force and should remain in force after the implementation of the reform proposed under NRRP Milestone 419, as well.

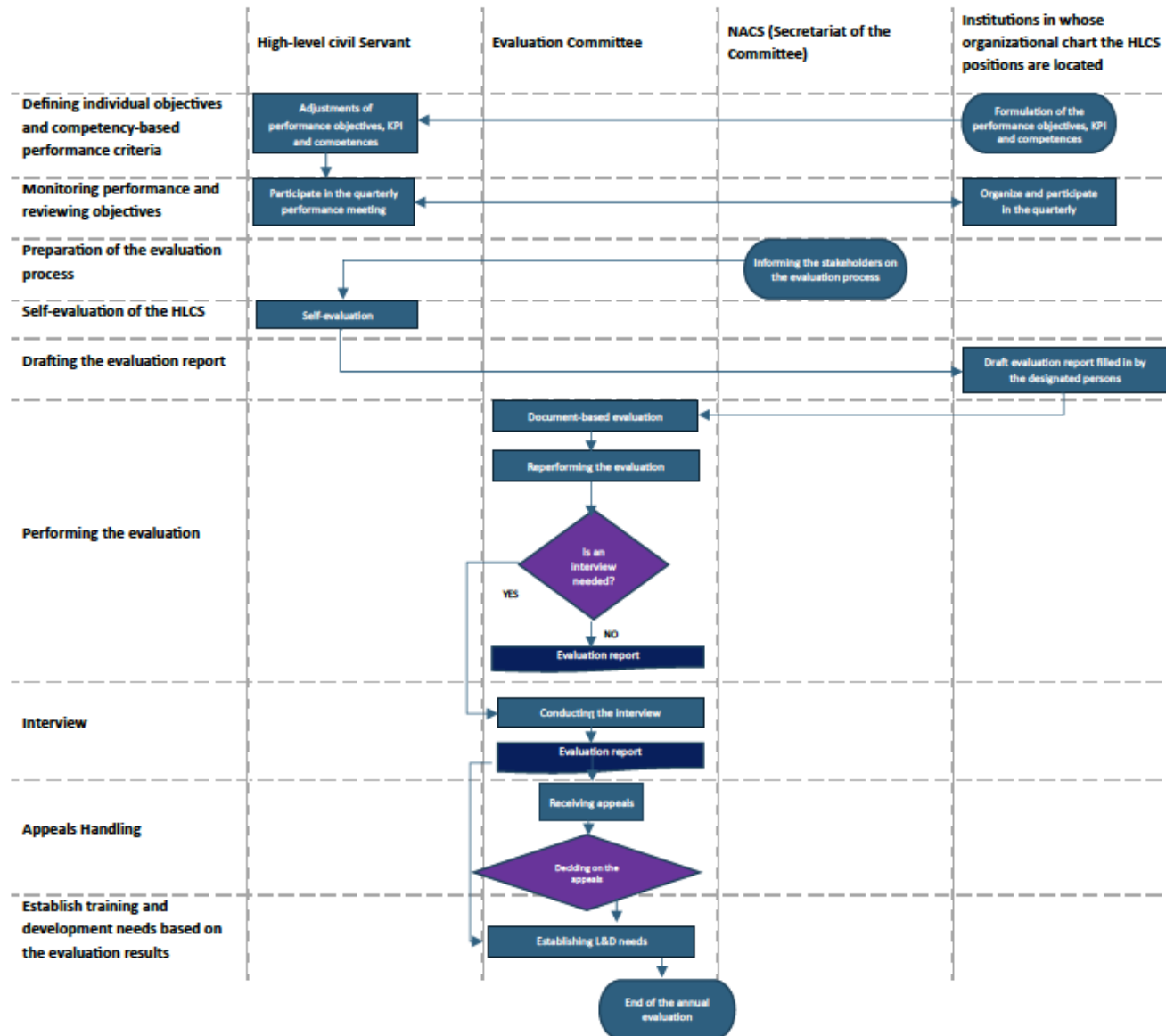
RACI diagram for performance management of HLCS (annual)

SUBPROCESS: PERFORMANCE MANAGEMENT OF HLCS (ANNUAL)		SUBPROCESS STAKEHOLDERS			
Stages	Activities	HLCS	Evaluation Committee	NACS (Secretariat of the Committee)	Head of the institutions in whose organizational chart the HLCS position is located and the minister who coordinates the activity in the Prefect Institutions
Defining individual objectives and competency-based performance criteria	1. Formulation of the performance objectives, indicators and corresponding competences	I			R/A
	2. Adjustments of performance objectives, indicators and corresponding competences after the discussion between the heads of institutions and HLCS	R	I	I	A
Monitoring performance and reviewing objectives	3. Recommended quarterly meetings	R			A
Preparation of the evaluation process	4. Information of stakeholders on the evaluation process	I	A	R	I

SUBPROCESS: PERFORMANCE MANAGEMENT OF HLCS (ANNUAL)		SUBPROCESS STAKEHOLDERS			
Stages	Activities	HLCS	Evaluation Committee	NACS (Secretariat of the Committee)	Head of the institutions in whose organizational chart the HLCS position is located and the minister who coordinates the activity in the Prefect Institutions
Self-evaluation of the HLCS	5. Self-evaluation of the HLCS by filling in the activity and self-evaluation reports	R/A			I
Drafting the evaluation report	6. Draft evaluation report filled in by the designated persons, responsible to prepare the competency-based evaluation report, who may be the heads of the public authorities or institutions in whose organizational chart the HLCS positions are located or the minister who coordinates the activity in the Prefect Institutions	I	I		R/A
Performing the evaluation	7. Evaluation based on documents: the self-evaluation and the draft evaluation		R/A	I	
	8. Re-performs the evaluation, if needed		R/A	I	
	9. Finalization of the evaluation with the final Evaluation report	I	R/A	I	I
Interview	10. Determining the need for organizing the interview	I	R/A	I	I
	11. Sending the interview invitation	I	A	R	
	12. Conducting the interview	R	R/A	I	
	13. Finalization of the evaluation with the final Evaluation report	I	R/A	I	I
Appeals Handling	14. Receiving appeals		A	R	
	15. Deciding on the appeals	I	R/A	I	I
Establish training and development needs based on the evaluation results	16. Establish training and development needs based on the evaluation results	R	R	I	A

Note: A = Accountable, C = Consulted, I = Informed, R = Responsible.

Business process flow diagram for performance management of HLCS (annual)



Detailed descriptions for performance management of HLCS (annual)

Process activities	Details of the procedure
Defining individual objectives and competency-based performance criteria	The heads of the public authorities or institutions in whose organizational chart the position corresponding to HLCS are located or the minister who coordinates the activity in the Prefect Institutions establish, for each HLCS: - individual performance objectives, with specific performance indicators, aligned with the institutional performance objectives and the responsibilities of the each HLCS; - the general competences and related behaviors, as well as specific competences that support the achievement of objectives. The performance objectives and corresponding indicators, as well as the list of competences are discussed with each HLCS. If the HLCS has a different perspective from that of the person with the competence to set objectives, they should suggest the relevant adjustments and additions of performance objectives, indicators and corresponding competences. Complementing the performance objectives, indicators and corresponding competences, at the end of the performance evaluation report, based on the annual evaluation of individual competences and performances, the Evaluation Committee must recommend the professional training plan, establishing a clear set of stages, aligned both with the requirements of the legislation and with the results of the evaluation of individual professional performances.
Monitoring performance and reviewing objectives	It is recommended that the heads of public authorities or institutions where high-level civil service positions are located, as well as the ministers coordinating Prefect Institutions, hold quarterly meetings with the HLCS they evaluate, in order to monitor performance and, if necessary, review performance objectives, indicators, and related competencies
Preparation of the evaluation process	Before the evaluation stage of individual performance management process, the Evaluation Committee communicates the information on the evaluation to the HLCS, but also to the designated persons, responsible to prepare the competency-based evaluation report, who may be the heads of the public authorities or institutions in whose organizational chart the position corresponding to HLCS are located or the minister who coordinates the activity in the Prefect Institutions. The evaluation stage should take place usually between January 1 and March 31 for the performance evaluation of the previous year, therefore the communication should be made in December, including information on: - the evaluation procedure, its stages and the person responsible to prepare the competency-based evaluation report for each HLCS; - the evaluation period; - the communication during the evaluation procedure.
Activity and self-evaluation of the HLCS	HLCS fill in the activity and self-evaluation report (provided by Annex 6/6¹ of the Administrative Code) and send them to the person responsible to prepare the competency-based evaluation report, who may be the head of the public authority or institution in whose organizational chart the position corresponding to HLCS is located or the minister who coordinates the activity in the Prefect Institutions, usually before January 20.
Drafting the evaluation report	The designated persons, responsible to prepare the competency-based evaluation report, who may be the heads of the public authorities or institutions in whose organizational chart the position corresponding to HLCS are located or the minister who

Process activities	Details of the procedure
	coordinates the activity in the Prefect Institutions, fill in the evaluation reports (provided by Annex 6/6¹ of the Administrative Code), assessing: - the competences of the HLCS, by analyzing the corresponding section of the self-evaluation report of the HLCS; - the achievement of each individual performance objective by HLCS, by analyzing the corresponding section of the self-evaluation reports. The designated persons draft their evaluation reports usually before February 10 and send the reports to the Evaluation Committee. The assessment of the achievement of each individual performance objective is made by the designated person, on a scale from 1 to 5, where the grade reflects the degree of achievement in relation to the established deadlines and performance indicators. The designated person must justify the scores awarded. In motivating the scores, the designated person: - takes into account the self-evaluation of the HLCS, but also the feedback from other persons with whom the HLCS works: colleagues, counterparts from other institutions, to the extent that this feedback is relevant for the assessment; - takes into account only the performance indicators, providing information, data, figures and/or concrete examples to support the degree of their fulfillment; - recognizes the achievements of the HLCS; - analyzes the impact of the HLCS's performance for institution, not just the fulfillment of individual tasks; - takes into account the progress of the HLCS throughout the evaluated period, not just the achievements; - recognizes the difficulties and challenges that the HLCS faced and how they were managed. The designated person gives a final score for the fulfillment of all the individual objectives, a score that will contribute to the final result of the evaluation of the HLCS's performance. This will be calculated as the arithmetic average of the grades awarded for each individual objective.
Performing the evaluation	The Evaluation Committee performs the evaluations usually before March 10. Each member of the Evaluation Committee assesses the HLCS's activity and self-evaluation report and the competency-based evaluation report of the designated persons in order to finalize the evaluation. The score for each competence and performance objective is awarded based on the arithmetic average of the scores awarded by each member of the Committee. If there are differences of more than 1.5 points (on the scale from 1 to 5) between the scores awarded by the members of the Evaluation Committee, the evaluation is re-performed by each member. The re-performing procedure is carried out only once, and, if the difference is maintained even after re-performing, the final score will be calculated as the arithmetic mean of the scores awarded by the members of the Evaluation Committee. All scores are justified. The Evaluation Committee may request the completion of the activity report and/or the evaluation report, to the extent that it considers them to be incomplete or contain erroneous data, also establishing a deadline for the submission of the amended activity report and evaluation report, as appropriate.

Process activities	Details of the procedure
	If no difference is identified between the information contained in the HLCS's activity and self-evaluation report and the competency-based evaluation report of the designated persons, the Evaluation Committee can close the evaluation at this stage and draft the final Evaluation report.
Interview	If there are differences between the information contained in the HLCS's activity and self-evaluation report and the competency-based evaluation report of the designated persons, an interview is organized with the HLCS, to provide to the Evaluation Committee the information necessary to complete the evaluation. Interviews are conducted usually before March 31. The Evaluation Committee finds if the interview is needed and requires the Secretariat of the Committee to send the invitation for the interview to the HLCS, with a minimum of three working days notice. The member of the Evaluation Committee who cumulatively meets the following conditions may participate in the videoconference system in the interview: a) the medical situation, proven by supporting documents, does not allow him to physically participate in the interview; b) does not have an appointed substitute; c) by his absence, the quorum necessary for the interview cannot be ensured. After the interview, the members of the Evaluation Committee assesses the HLCS's competences and performance and draft the final Evaluation report.
Appeals handling	Within one working day from the date of communication the result of the evaluation, the dissatisfied HLCS may file an appeal. The appeal is submitted to the Secretariat of the Evaluation Committee. The Evaluation Committee analyzes all aspects of the contested evaluation, re-analyzes the relevant documents in the process, the interview recording, if applicable, and ensures that it takes into account all additional information/documents provided with the submission of the appeal. If the Committee considers that it does not have sufficient information, it is recommended to request additional information from the person designated to prepare the evaluation report, from the HLCS or from other relevant entities. The Evaluation Committee answers to the appeal by maintaining the evaluation result or by modifying it and filling in a new final evaluation report, that is communicated to the Secretariat of the Evaluation Committee. The Secretariat communicates the result of the appeal to the HLCS. In the event of the appeal being rejected, the HLCS may address the administrative court, under the terms of the law.
Establish training and development needs based on the evaluation results	After the performance evaluation is completed, the Evaluation Committee formally identifies competency gaps and areas requiring improvement. These should be discussed in a meeting with the HLCS and the head of the institution where the HLCS is appointed and revised. Findings resulted, after the discussions, are then translated into concrete training and development needs, which serve as the basis for planning targeted capacity-building activities and should be included in the information provided to NACS for national planning of learning and development activities for senior management in Romanian public administration.

Procedure 2.a. Multiannual performance evaluation

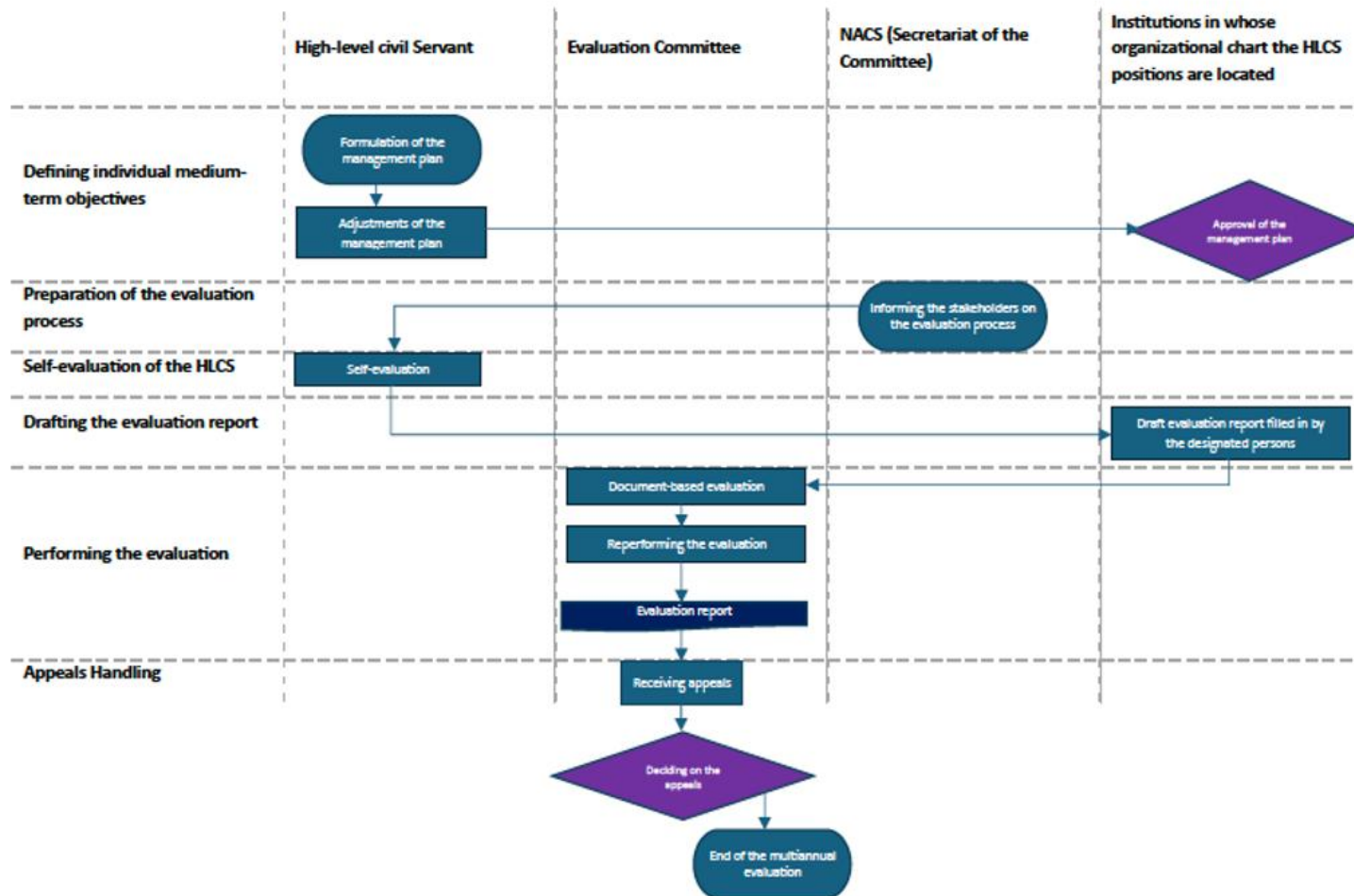
The procedure proposed is based on a proposed reform under NRRP Milestone 418.

RACI diagram for the multiannual performance evaluation

SUBPROCESS: MULTIANNUAL PERFORMANCE EVALUATION		SUBPROCESS STAKEHOLDERS			
Stages	Activities	HLCS	Evaluation Committee	NACS (Secretariat of the Committee)	Head of the institutions in whose organizational chart the HLCS positions are located and the minister who coordinates the activity in the Prefect Institutions
Defining individual medium-term objectives	1. Formulation of the management plan including medium-term performance objectives (for the mandate)	I			R/A
	2. Adjustments of management plan including medium-term performance objectives (for the mandate) after the discussion between the heads of institutions and HLCS	R			A
	3. Approval of the management plan including medium-term performance objectives (for the mandate)	I	I	I	R/A
Preparation of the evaluation process	4. Information of stakeholders on the evaluation process	I	A	R	I
Self-evaluation of the HLCS	5. Self-evaluation of the HLCS by filling in the activity and self-evaluation reports	R/A			I
Performing the evaluation	7. Evaluation based on documents: the self-evaluation and supporting documents		R/A	I	
	8. Re-performs the evaluation, if needed		R/A	I	
	9. Finalization of the evaluation with the final Evaluation report	I	R/A	I	I
Appeals Handling	10. Receiving appeals		A	R	
	11. Deciding on the appeals	I	R/A	I	I

Note: A = Accountable, C = Consulted, I = Informed, R = Responsible.

Business process flow diagram for the multiannual performance evaluation



Detailed descriptions for activities for multiannual performance evaluation

Process activities	Details of the procedure
Defining individual medium-term objectives	Within six months from their appointment, HLCS must draft a management plan for the structures they lead. This plan must cover a three-year period, corresponding to a mandate. The plan must include at least eight individual performance objectives and corresponding indicators, based on: job responsibilities (as stated in institutional regulations and job descriptions), annual performance objectives set by the head of the authority/institution, strategic objectives of the institution, and institutional strategic plans (where applicable). The plan must be approved by the head of the authority/institution where the HLCS is appointed.
Activity and self-evaluation of the HLCS	HLCS fill in the activity and self-evaluation report (provided by Annex 6² of the Administrative Code) and send them to the Secretariat of the Evaluation Committee six months before the end of the period covered by the management plan including medium-term performance objectives (for the mandate).
Performing the evaluation	The Evaluation Committee fill in the evaluation reports (provided by Annex 6² of the Administrative Code), assessing: - the annual performance of the HLCS, according to the results of the annual performance evaluations; - the achievement of each individual mid-term performance objective by HLCS, by analyzing the corresponding section of the self-evaluation reports; - activities that contributed to institutional development or cooperation in inter-institutional cooperation structures or participation in significant competences development activities, based on the self-evaluation reports. The assessment of the achievement of each individual performance objective is made by the designated person, on a scale from 1 to 5, where the grade reflects the degree of achievement in relation to the established deadlines and performance indicators. The members of the Evaluation Committee must justify the scores awarded. In motivating the scores, the members of the Evaluation Committee: - take into account the self-evaluation of the HLCS, but also the feedback from other persons with whom the HLCS works: colleagues, counterparts from other institutions, to the extent that this feedback is relevant for the assessment; - take into account only the performance indicators, providing information, data, figures and/or concrete examples to support the degree of their fulfillment; - recognize the achievements of the HLCS; - analyze the impact of the HLCS's performance for institution, not just the fulfillment of individual tasks; - take into account the progress of the HLCS throughout the evaluated period, not just the achievements; - recognizes the difficulties and challenges that the HLCS faced and how they were managed.

Process activities	Details of the procedure
	Each member of the Evaluation Committee assesses the HLCS's activity and self-evaluation report in order to finalize the evaluation. The score for each criteria is awarded based on the arithmetic average of the scores awarded by each member of the Committee. The final score of the evaluation represent the whited average of the three main evaluation criteria, according to the methodology provided by Annex 6² of the Administrative Code. If there are differences of more than 1.5 points (on the scale from 1 to 5) between the scores awarded by the members of the Evaluation Committee, the evaluation is re-performed by each member. The re-performing procedure is carried out only once, and, if the difference is maintained even after re-performing, the final score will be calculated as the arithmetic mean of the scores awarded by the members of the Evaluation Committee. All scores are justified. The Evaluation Committee may request the completion of the activity report to the extent that it considers it to be incomplete or contain erroneous data, also establishing a deadline for the submission of the amended activity report and evaluation report, as appropriate. After the evaluation, the Evaluation Committee closes the evaluation at this stage and draft the final Multiannual Evaluation report.
Appeals handling	Within one working day from the date of communication the result of the evaluation, the dissatisfied HLCS may file an appeal. The appeal is submitted to the Secretariat of the Evaluation Committee. The Evaluation Committee analyzes all aspects of the contested evaluation, re-analyzes the relevant documents in the process, and ensures that it takes into account all additional information/documents provided with the submission of the appeal. If the Committee considers that it does not have sufficient information, it is recommended to request additional information from the person designated to prepare the evaluation report, from the HLCS or from other relevant entities. The Evaluation Committee answers to the appeal by maintaining the evaluation result or by modifying it and filling in a new final evaluation report, that is communicated to the Secretariat of the Evaluation Committee. The Secretariat communicates the result of the appeal to the HLCS. In the event of the appeal being rejected, the HLCS may address the administrative court, under the terms of the law.

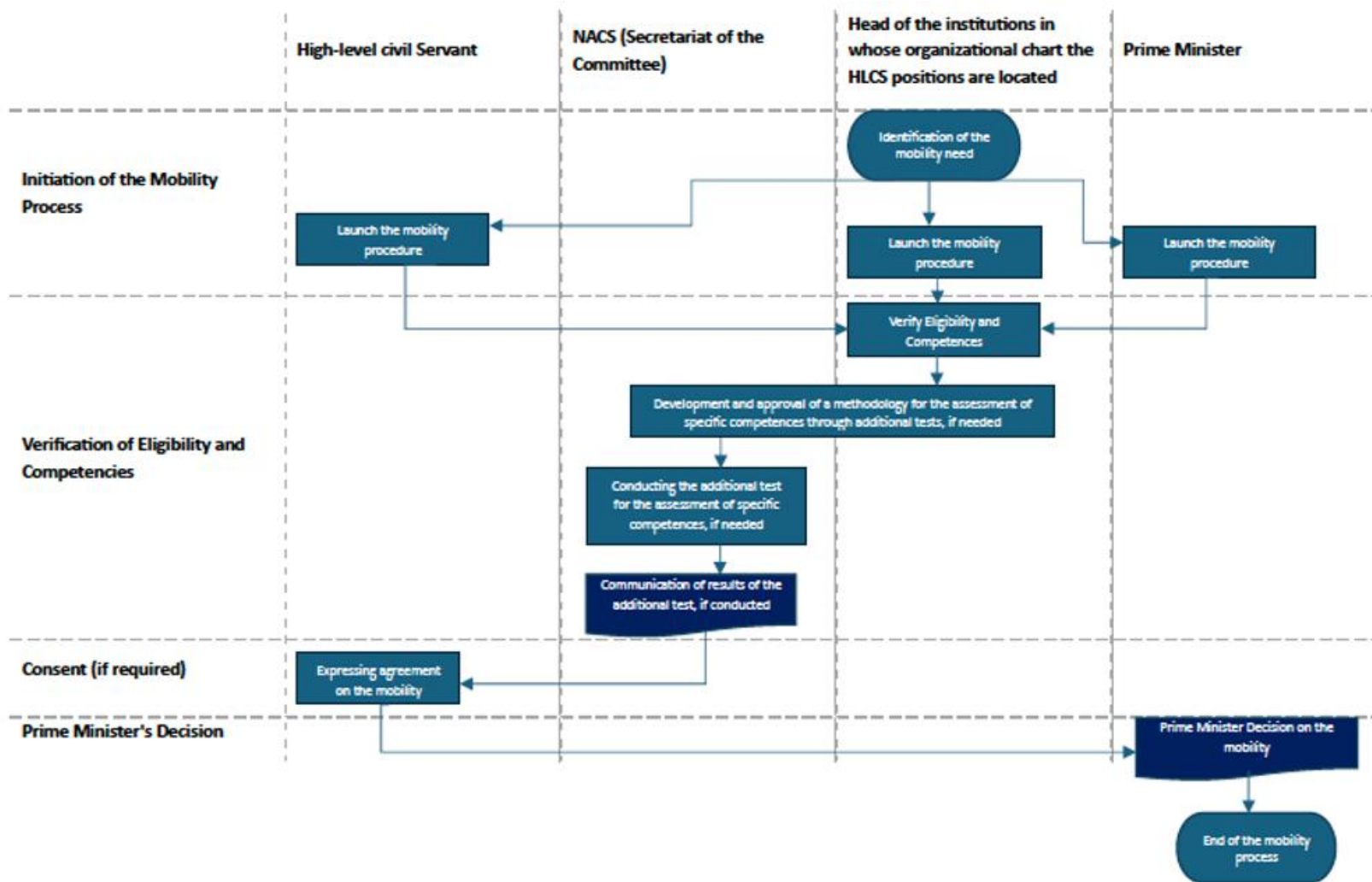
Procedure 3. Mobility of HLCS

RACI diagram for enrollment for mobility of HLCS

SUBPROCESS: MOBILITY OF HLCS		SUBPROCESS STAKEHOLDERS			
Stages	Activities	HLCS	NACS	Head of the institutions in whose organizational chart the HLCS positions are located and the minister who coordinates the activity in the Prefect Institutions	Prime Minister
Initiation of the Mobility Process	Identification of mobility need	R		R/A	R/A
	Launch the mobility procedure based on the type of mobility: - <i>by the Prime Minister</i>	I		I	R/A
	- <i>the head of a public authorities/institution</i>	I		R/A	I
	- <i>the HLCS</i>	R/A			I
Verification of Eligibility and Competencies	Ensure the civil servant meets the specific requirements of the new position		I	R/A	
	<i>Development and approval of a methodology for the assessment of specific competences through additional tests, if needed</i>	I	R	A	I
	<i>Conducting the additional test for the assessment of specific competences, if needed</i>	I	R	A	I
	<i>Communication of results of the additional test, if conducted</i>	I	R	A	I
Consent (if required)	Obtain the civil servant's agreement when legal conditions apply	I	I	R/A	I
Prime Minister's Decision	Finalize the mobility through legal decision	I	I	I	R/A

Note: A = Accountable, C = Consulted, I = Informed, R = Responsible.

Business process flow diagram for mobility of HLCS



Detailed descriptions for activities for mobility of HLCS

Process activities	Details of the procedure
Identification of mobility need	The mobility can be initiated by: - The Prime Minister, ex officio (especially for governmental inspectors), - The head of a public authorities/institution, via a reasoned request (for SG, DSG and SGPI), - The HLCS, through a written and justified request (for professional development purposes). Mobility can be initiated to: - Ensure the functioning of public institutions, - Serve the public interest, or - Support the professional development of HLCS. The need may arise from a vacant or temporarily vacant position, but in some public interest cases, this is not a requirement (e.g., for governmental inspectors). If the need is not identified by the Prime Minister, the head of a public authorities/institution or the HLCS prepares a reasoned written request justifying the proposed mobility and submits it to the Prime Minister. The written request should include: - The role to be filled, - The institutional rationale, - The proposed HLCS (if applicable), - Confirmation that the proposed civil servant meets the job's competency requirements.
Verification of eligibility and competencies	The receiving authority or institution must verify that the civil servant: - Meets the conditions outlined in the job description, - Has the required specific competencies. Competency verification methods may include: - Document analysis, - Additional testing, using the Assessment Centers of NACS - Written examination. If additional testing is needed, the head of the receiving authority or institution requires NACS the organization of the additional test in the assessment centers. The procedure for the national recruitment completion in assessment centers should be followed.
Consent (if required)	In exceptional cases, when no high-level positions are available, mobility may be made to a management-level position. This downward shift requires the written consent of the civil servant. The new position must be justifiably appropriate to the civil servant's career level.

Prime Minister's decision	Mobility is legally finalized only through a Prime Minister's decision, regardless of who initiated the process. This decision serves as the formal change in the civil servant's service relationship.
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Procedure 3.a. Rotation of HLCS

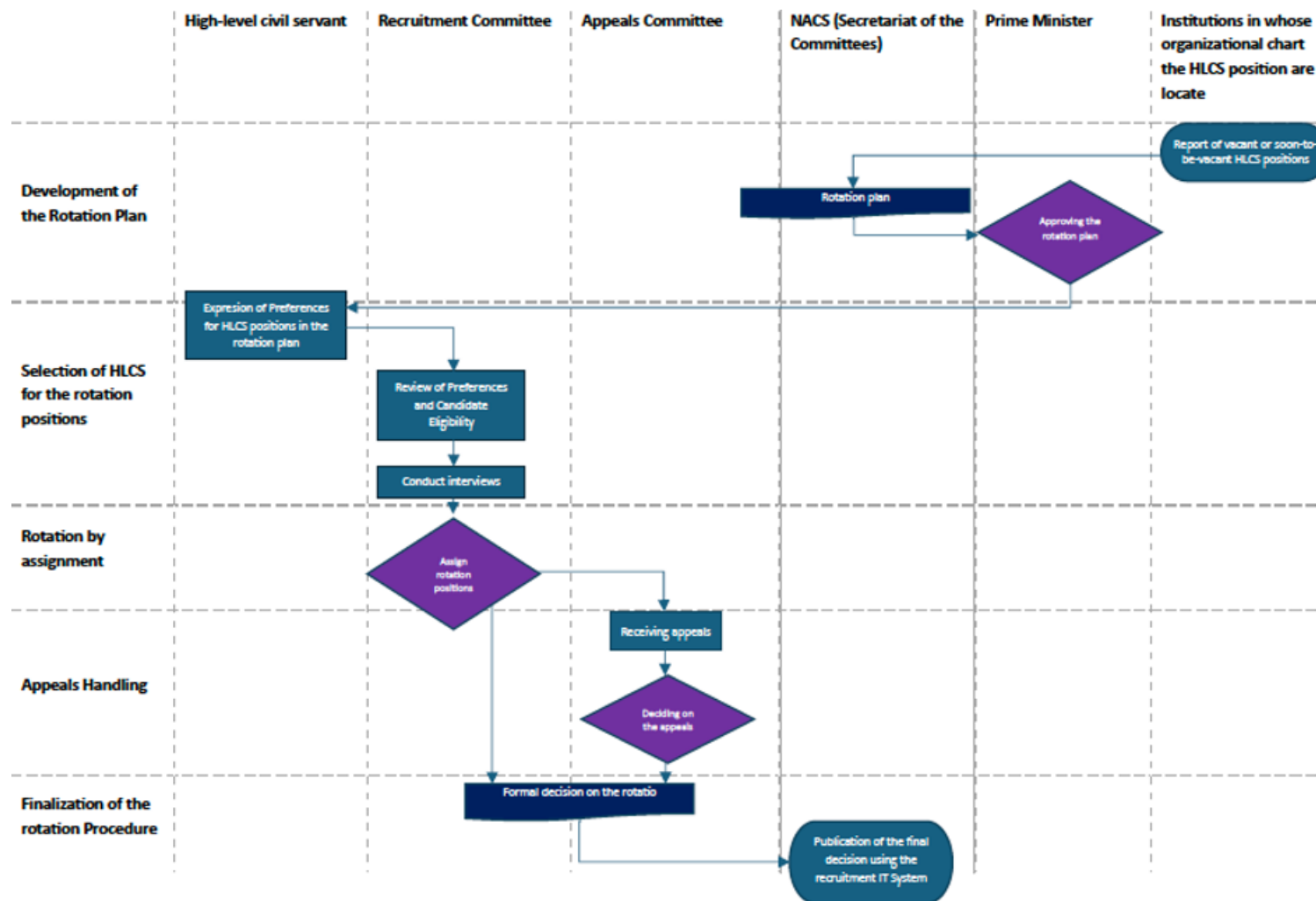
The procedure proposed is based on a proposed reform under NRRP Milestone 418.

RACI diagram for rotation of HLCS

SUBPROCESS: ROTATION OF HLCS		SUBPROCESS STAKEHOLDERS					
Stages	Activities	HLCS	Recruitment Committee	Appeals Committee	NACS (Secretariat of the Committees)	Prime Minister	Institutions in whose organizational chart the HLCS position are locate
Development of the Rotation Plan	1. Report of vacant or soon-to-be-vacant high-level civil service positions to be included in the rotation plan				I		R/A
	2. Drafting the rotation plan				R/A	I	I
	3. Approval of the rotation plan		I		I	R/A	I
Selection of HLCS for the rotation positions	4. Expression of Preferences by HLCS	R/A	I		I		
	5. Review of Preferences and Candidate Eligibility	I	R/A		I		
	6. Interviews conducted, if needed	I	R/A		I	I	I
Rotation by assignment	7. Rotation by assignment	I	R/A		I	I	I
Appeals Handling	8. Receiving appeals		A	I	R		
	9. Deciding on the appeals	I		R/A	I	I	I
Finalization of the rotation Procedure	10. Formulation of the final decision on Rotation		R/A	or R/A	I	I	I
	11. Publication of the final decision using the Rotation IT System	I	A		R	I	I

Note: A = Accountable, C = Consulted, I = Informed, R = Responsible.

Business process flow diagram for rotation of HLCS



Detailed descriptions for activities for rotation of HLCS

Process activities	Details of the procedure
Development of the Rotation Plan	Every two years, NACS requests public authorities to identify vacant or soon-to-be-vacant high-level civil service positions. Institutions must report these positions in coordination with recruitment and promotion plans. Based on this input, NACS drafts the Rotation Plan, which is approved by Government Decision. The plan includes the list of eligible positions, timelines for interviews, and transition periods.
Selection of HLCS for the rotation positions	Eligible civil servants log into the Rotation IT Platform to indicate preferred positions. Preferences must be submitted at least 9 months before mandate expiration. Submissions are reassessed three months before mandate expiration, after the performance of the multiannual performance evaluation and only those with at least a "Good" performance rating from the multiannual evaluation can apply. The Rotation Committee for HLCS - represented by the Recruitment Committee - reviews candidate eligibility and competencies for the positions they applied for and select the most qualified candidate based on the results of the multiannual performance evaluation. If several candidates for rotation for a certain position have the same general score of the multiannual performance evaluation, the rotation committee organizes interviews. The interview verifies specific competencies, which cannot be verified through other previous tests, as well as the motivation of the candidates. The interview is carried out according to the interview plan drawn up by the Rotation Committee on the day of the interview, based on the evaluation criteria. The evaluation criteria for the interview plan are: a) the ability to analyze and synthesize; b) oral communication skills specific to the specialty; c) the candidate's motivation; d) behavior in crisis situations, relevant to the specialty; e) any other attitudes, skills and abilities that prove the fulfillment of the specific competency necessary for the exercise of public office; f) the exercise of decision-making control; g) the professional and managerial experience of the candidates relevant to the specialty. The date, time and place of the interview are posted on the Rotation IT platform. During the interview, each member of the Rotation Committee asks at least one question to the candidate. Questions regarding the candidate's political opinions, trade union activity, religion, ethnicity, financial status, social origin or that may constitute discrimination under the law may not be asked.

	The interview is scored based on the evaluation criteria set out above and the maximum scores set by the Rotation Committee for these criteria through the interview plan. The members of the Committee award score for each of the evaluation criteria, for candidate. Scores are recorded in the individual form for each candidate, by each member of the Rotation Committee. The final score for the interview of each candidate is established as the arithmetic average of the scores awarded by each member of the Rotation Committee. The scores obtained by each of the candidates and the mention "admitted" or "rejected" are communicated through the Rotation IT platform, to the candidate's account, the latter receiving a notification by e-mail, through the care of the Secretariat of the Rotation Committee. The member of the Recruitment Committee who cumulatively meets the following conditions may participate in the videoconference system in the interview: a) the medical situation, proven by supporting documents, does not allow him to physically participate in the interview; b) does not have an appointed substitute; c) by his absence, the quorum necessary for the interview cannot be ensured. The Rotation by assignment is organized when no preference is expressed, valid or effective because other preferences are expressed for the same position by candidates with higher scores at the multiannual performance evaluation, or because other HLCS was preferred after the interview. The Recruitment Committee makes placement proposals and candidates and institutions are notified, and interviews are conducted similarly to the standard process.
Appeals handling	Within one working day from the date of communication the result of the rotation, dissatisfied HLCS may file an appeal through the Rotation IT platform. The Secretariat of the Rotation Committee shall centralize the appeals and communicate them to the members of the Appeals Committee. The Appeals Committee admits the appeal by modifying the result of the verification of the candidates' eligibility, respectively the score awarded by the Rotation Committee at the interview, as the case. Appeals results are communicated using Rotation IT platform, in the candidate's account, the latter receiving a notification by e-mail. In the event of the appeal being rejected, the candidate may address the administrative court, under the terms of the law.
Finalization of the selection procedure	Upon completion of the rotation procedure, a final report of the rotation stage is drawn up. The final results of the rotation and the final report are uploaded to the Rotation IT platform by the Secretary of the Rotation Committee and communicated to the Prime Minister for the appointment of the HLCS.

Procedure 4. Training needs assessment and L&D planning for HLCS

The proposed procedure follows the current legal provisions, including the possibility to provide training for HLCS both:

- centrally (following a centralized needs assessment lead by NACS), by NIA or other service providers contracted by NACS
- at institutional level, to cover specific training needs assessments reflected in institutional Annual Professional Development Plans.

The procedure proposes a mechanism to ensure complementarity between the central and institutional level activities for professional education and development of HLCS.

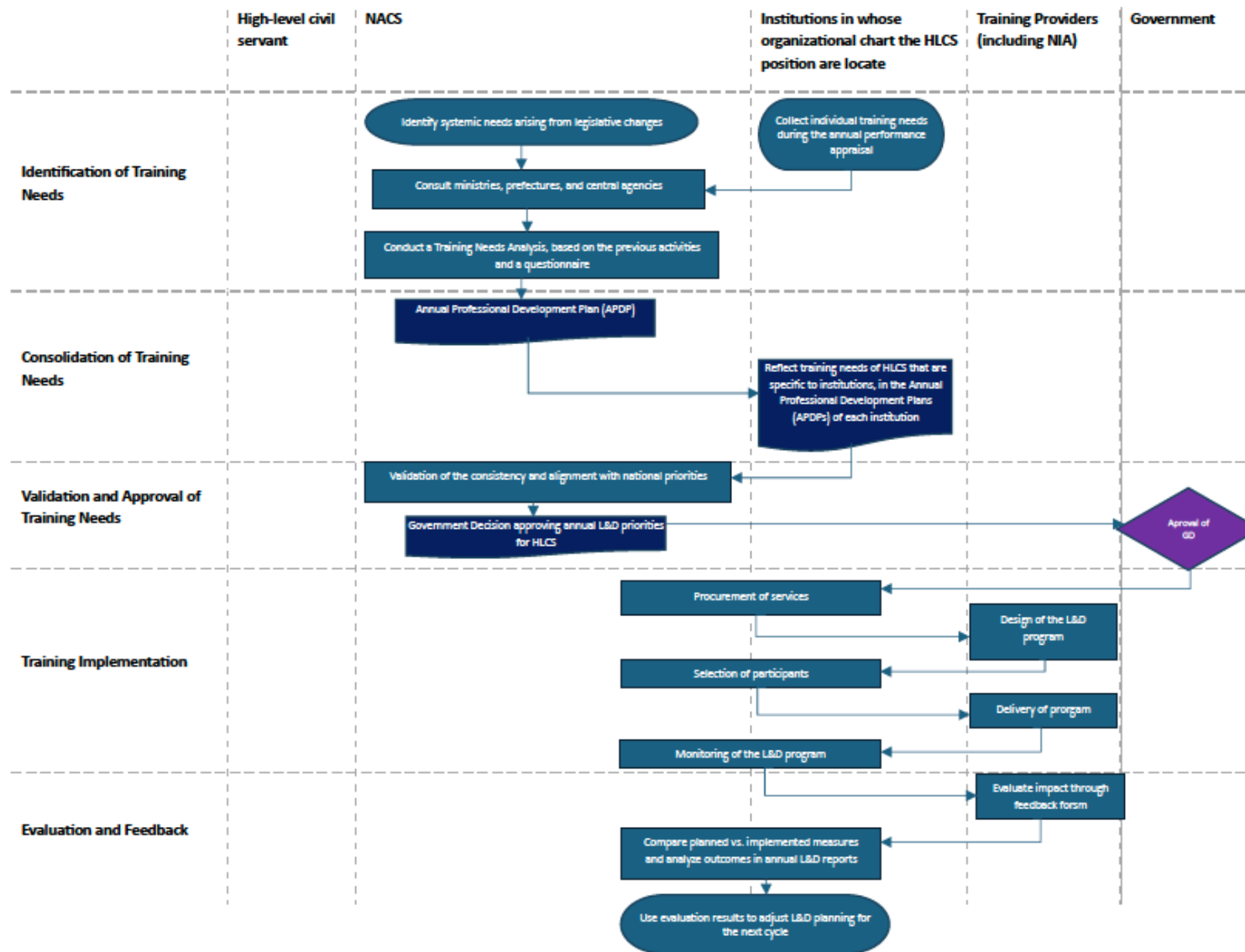
RACI diagram for training needs assessment and L&D planning for HLCS

SUBPROCESS: TRAINING NEEDS ASSESSMENT AND L&D PLANNING		SUBPROCESS STAKEHOLDERS				
Stages	Activities	HLCS	NACS	Institutions in whose organizational chart the HLCS position are locate	Training Providers (including NIA)	Government
Identification of Training Needs	1. Collect individual training needs during the annual performance appraisal of HLCS (based on appraisal reports).	R	I	A		
	2. Identify systemic needs arising from legislative changes, updates to job descriptions, or new government priorities.		A	R		
	3. Consult ministries, prefectures, and central agencies to capture institution-specific training requirements for HLCS		A	C/R		
	4. Conduct a Training Needs Analysis, based on the previous activities and a questionnaire distributed to HLCS	C	R/A	C		
Consolidation of Training Needs	5. Developing the Annual Professional Development Plan (APDP), detailing priority areas and specific topics for HLCS development, target groups, and budget allocations, centrally	I	R/A	I		
	6. Reflect training needs of HLCS that are specific to institutions, in the Annual Professional Development Plans (APDPs) of each institution, ensuring complementarity with the centralized APDP	I	I	R/A		
Validation and Approval of Training Needs	7. Validation of the consistency and alignment with national priorities and integrates the information into a national database of HLCS training needs		R/A	C		

	8. Draft of the Government Decision approving annual learning and professional development (L&D) priorities for HLCS	I	R/A	C		I
	9. Approval of the Government Decision on the annual L&D priorities for HLCS	I	R	I		A
Training Implementation	10. Procurement of training services based on the L&D priorities and other elements of the APDPs		R/A	R/A	C	
	11. Design of detail L&D programs and materials	I	A	A	R	
	12. Selection of participants to each L&D program	C	R/A	R/A		
	13. Delivery of L&D programs	R	I	I	R/A	
	14. Monitoring of the L&D programs and assess the quality of programs delivered	C	R/A	R/A	R	
Evaluation and Feedback	15. Evaluate L&D impact through feedback forms, participant assessments, and performance reviews in subsequent appraisals	C	R/A	R/A	R	
	16. Compare planned vs. implemented measures and analyze outcomes in annual L&D reports.		R/A	R/A	C	
	17. Use evaluation results to adjust L&D planning for the next cycle.	C	R/A	R/A	C	

Note: A = Accountable, C = Consulted, I = Informed, R = Responsible.

Business process flow diagram for training needs assessment and training planning for HLCS



Detailed descriptions for activities for training needs assessment and training planning for HLCS

Process activities	Details of the procedure
Identification of Training Needs	This stage ensures that both individual and systemic training needs of HLCS are properly captured. During performance evaluations, each HLCS and their supervisor identify gaps in knowledge, skills, or competencies. These are documented in appraisal reports and serve as the baseline for individual training requirements. Complementary, NACS and other public authorities and institutions monitor changes in legislation, or emerging government priorities. These systemic developments may require targeted training programs to update HLCS knowledge and ensure alignment with the evolving policy and regulatory framework. Institutions where HLCS positions are located are consulted by NACS to capture organization-specific needs. This involves discussions with HR departments and institutional leadership to ensure that training reflects real operational challenges. Additionally, NACS should lead a structured TNA process that consolidates information from appraisals, systemic changes, and institutional consultations with a standardized questionnaire distributed to HLCS to gather direct input. NACS should design and administrate the questionnaire to all NACS.
Consolidation of Training Needs	NACS Annual Professional Development Plan (APDP) that highlights priority areas and specific training topics relevant to HLCS at national level. This includes defining target groups, estimated number of participants, and budget allocations. Complementary and after being informed about the centrally developed APDP, each institution prepares its own APDP covering HLCS-specific requirements relevant to its mandate. These plans are designed to complement, not duplicate, the central APDP, ensuring that training priorities are consistent but also adapted to each institutional context.
Validation and Approval of Training Needs	NACS validates both central and institutional APDPs for coherence and alignment with strategic national priorities. The information is integrated into a centralized database of HLCS training needs, which serves as the official reference for planning. Based on validated needs, NACS drafts a Government Decision that formalizes the annual HLCS training priorities. This step ensures legal and institutional backing for implementation. The Government formally approves the Decision, making the priorities binding for NACS, institutions, NIA (National Institute of Administration), and other training providers.
Training Implementation	NACS or institutions procure training services either from other public institutions or from private providers or other organisations, following the legal provisions for public procurement. Procurement is guided by the priorities and budgets defined in the APDPs.

	Training providers design the curricula, methodology, and training materials for each program. Programs are competency-based and adapted to HLCS needs. Institutions, in coordination with NACS, nominate and select HLCS for each training program. Selection is based on relevance, training needs identified, and institutional priorities. Providers deliver the training through various formats (in-person, online, blended), based on the approved curricula, methodology, and training materials for each program. HLCS actively participate, ensuring that acquired knowledge and skills can be applied in practice. NACS and institutions (depending on who carried out the procurement of training services) monitor implementation to ensure training quality. Providers should also be contractually required to evaluate delivery against established standards. Monitoring covers participation rates, adherence to objectives, and feedback.
Evaluation and Feedback	Training providers and institutions evaluate the effectiveness of programs using participant feedback forms, competency assessments, and performance follow-ups during annual appraisals. Evaluation of the trainings impact should always be included in the program's design through feedback forms, participant assessments. Performance reviews in subsequent appraisals after the participation of each HLCS to a training should include reflection on the impact of the development program. Based on the monitoring of training implementation and the assessments of the training programs impact, NACS and institutions analyze (potential) discrepancies between planned training and what was actually delivered and achieved. Reports are produced to capture lessons learned. Evaluation results are used to revise and improve the following year's training plans, contributing to the subsequent training needs assessment, ensuring that the system becomes increasingly effective and responsive to HLCS needs.

Annex 2. Analysis of the HLCS regulatory framework in Romania

Types of HLCS roles

High-level civil service roles are the top management roles in the Romanian civil service. In relation to the level of the duties that civil servants have to perform, the Administrative Code defines three categories of civil service positions: execution-level positions, management-level positions, and high-level positions.¹³⁰ HLCS provide high-level management in public authorities and institutions.¹³¹ The Administrative Code defines the following types of high-level civil service positions:¹³²

- (i) Secretary-generals and deputy secretary-generals of central public authorities, who ensure and are responsible for organizational development, oversee and are accountable for administrative, legal operational functions, and liaise between politically appointed officials and institutional operations;
- (ii) Secretary-generals of the Prefect's institution in Romania's counties, who support prefects in governance and administrative coordination;
- (iii) State Inspector General of the Labor Inspectorate, a unique position overseeing labor regulations; and
- (iv) Government inspectors, who, in nearly all cases, are former permanent SG/DSG from the same categories who have not been reappointed into a specific HLCS position but have been invested through mobility among HLCS and, *de jure*, have responsibilities for coordinating EU-related projects and institutional development, while, *de facto*, are generally inactive.

A particular type of high-level civil service position is the parliamentary high-level civil service position. It should be noted that parliamentary high-level civil service positions are defined in Law No 7/2006, not in the Administrative Code, and they comprise the following positions within the Chamber of Deputies and the Senate: secretary general, deputy secretary general, and head of department or director-general, as the case may be¹³³. Although the Administrative Code does not define the parliamentary high-level civil service positions, it does reference this notion in the context of setting out exceptions to the rules it provides on filling high-level civil service positions and on the appraisal of the individual professional performance of HLCS. This analysis does not include the legal provisions that regulate parliamentary high-level civil service positions, due to the limited scope of this type of high-level civil service position.

¹³⁰ According to Article 387(1) of GEO No 57/2019 on the Administrative Code.

¹³¹ According to Article 394(1) of GEO No 57/2019 on the Administrative Code.

¹³² According to Article 389 of GEO on the Administrative Code, and to Section I, Letter A of Annex No 5 to G.E.O. No 57/2019 on the Administrative Code.

¹³³ According to Article 7(1) and Article 19(1) of Law No 7/2006, and to Section I point 1 of the Annex to Law No 7/2006.

Requirements for holding high-level civil service positions

Candidates for high-level civil service positions must fulfil the general requirements set out for holding civil service positions. Since they are a type of civil servant, HLCS must comply with the general requirements set out for civil servants. These requirements¹³⁴ include, inter alia, (i) to hold the Romanian citizenship, and to be domiciled in Romania, (ii) to know the Romanian language, written and spoken, (iii) to be at least 18 years old, (iv) to have full capacity of exercising his/her legal rights (i.e., to be fully able to conclude legal acts on his/her own), (v) to be medically and psychologically fit to hold a civil service position, (vi) to have the educational qualifications and seniority in the specialized field required by law for holding the civil service position, (vii) to have theoretical knowledge of information technology at beginner user level, (viii) where required by the position, to have completed a certain training or specialization and/or to have a certain permit or authorization.

Besides the aforementioned requirements, high-level civil service positions, like all civil service positions, entail certain general and specific competencies. The Administrative Code has reframed the public administration human resources management process, by implementing a competency-based approach. Every public authority/institution must set out the general competencies and the specific competencies for each of the civil service positions in its organizational chart, following an analysis process conducted by a working group set up at the level of the public authority/institution.¹³⁵ The working group draws up an analysis report comprising the general and specific competencies for each of the civil service positions.¹³⁶ The head of the public authority/institution approves the general and specific competencies for each of the civil service positions.¹³⁷ The analysis report drawn up by the working group and the document of approval of the general and specific competencies, signed by head of the public authority/institution, are submitted to the NACS, in order to obtain its endorsement of the specific competencies identified for each civil services position¹³⁸. After receiving the endorsement of NACS on the specific competencies, the standardized job description is filled in with the general and specific competencies.¹³⁹ The job descriptions for high-level civil service positions are filled in, as follows:¹⁴⁰

- The job descriptions for the position of secretary general and deputy secretary general within ministries and specialized bodies of the central public administration, and of secretary general of

¹³⁴ The general requirements for holding a civil service position are laid down in Article 465(1) of GEO No 57/2019 on the Administrative Code.

¹³⁵ This analysis process is regulated in Annex No 8 to GEO No 57/2019 on the Administrative Code and in Order No 332/2024, issued by NACS.

¹³⁶ According to Article 29 of Annex No 8 to GEO No 57/2019 on the Administrative Code and Article 8(1) of the framework methodology approved by Order No 332/2024, issued by NACS.

¹³⁷ According to Article 30(3)(c) of Annex No 8 to GEO No 57/2019 on the Administrative Code and Article 6(1)(c) of the framework methodology approved by Order No 332/2024, issued by NACS.

¹³⁸ According to Article 30 of Annex No 8 to GEO No 57/2019 on the Administrative Code and Article 15(1) of the framework methodology approved by Order No 332/2024, issued by NACS.

¹³⁹ According to Article 31 of Annex No 8 to GEO No 57/2019 on the Administrative Code and Article 17 of the framework methodology approved by Order No 332/2024, issued by NACS.

¹⁴⁰ According to Article 31(1²) of Annex No 8 to GEO No 57/2019 on the Administrative Code.

the prefect's institution, are filled in by the head of the public authority/institution that employs the high-level civil servant.

- The job descriptions for the position of governmental inspector are filled in by the general secretary of the Government.

General competencies for each civil service position are determined by transposing the competency framework laid down in Annex No 8 to GEO No 57/2019 on the Administrative Code. The Administrative Code defines the general competencies as the complete set of competencies necessary for all civil servants to work effectively at any hierarchical level and regardless of specialization.¹⁴¹ The Administrative Code lays down five categories of general competencies: (i) personal efficiency, (ii) interpersonal effectiveness, (iii) social responsibility, (iv) managerial skills, (v) leadership¹⁴². The categories of general competencies that apply to civil servants differ depending on the type of civil service position that they hold. In the case of HLCS, all the aforementioned categories of general competencies apply.¹⁴³ Each category consists of several general competencies¹⁴⁴, and there are different levels of complexity for the general competencies: (i) elementary level, (ii) operational level, (iii) extended level, and (iv) strategic level.¹⁴⁵ The Administrative Code sets out the general competencies and the level of complexity of those competencies¹⁴⁶ that are required depending on the type of civil service position. To this end, Annex No 8 to GEO No 57/2019 on the Administrative Code distinguishes between four types of positions: (i) execution-level positions, (ii) management-level positions of head of service, (iii) management-level positions other than head of service, and (iv) high-level positions. Furthermore, the Administrative Code sets out the descriptors and the behavioral indicators for the different level of complexity of each general competency.¹⁴⁷ Since the competency framework laid down in Annex No 8 to GEO No 57/2019 on the Administrative Code sets out the general competencies that apply to each type of civil service position as well as the level of complexity required for those competencies, determining the general competencies for a given position is straightforward: the position is matched to one of the types of civil service position defined in Annex No 8 to GEO No 57/2019 on the Administrative Code, and the general competencies provided in the competency framework for that type of position are transposed in the job description for the position in question.

Specific competencies for each civil service position are determined by the dedicated working group set up at the level of the public authority/institution. Specific competencies are the mandatory competencies which comprise the knowledge, attitudes, aptitudes and skills, determined at the level of public authorities and institutions for each position that are required to hold a civil service position.¹⁴⁸ Specific competencies required to hold a civil service position may be: (i) foreign language skills, (ii) language skills for communication in the language of the national minority, (iii) digital competencies, (iv)

¹⁴¹ According to Article 3(i) of Annex No 8 to GEO No 57/2019 on the Administrative Code.

¹⁴² According to Article 8(1) of Annex No 8 to GEO No 57/2019 on the Administrative Code.

¹⁴³ According to Article 9(6)-(8) of Annex No 8 to GEO No 57/2019 on the Administrative Code.

¹⁴⁴ Laid down in Article 9(1)-(5) of Annex No 8 to GEO No 57/2019 on the Administrative Code.

¹⁴⁵ According to Article 12 of Annex No 8 to GEO No 57/2019 on the Administrative Code.

¹⁴⁶ Laid down in Article 17 point I of Annex No 8 to GEO No 57/2019 on the Administrative Code.

¹⁴⁷ Laid down in Article 17 point II of Annex No 8 to GEO No 57/2019 on the Administrative Code.

¹⁴⁸ According to Article 3(k) of Annex No 8 to GEO No 57/2019 on the Administrative Code.

other skills identified following the procedure presented previously.¹⁴⁹ For the first three types of specific competencies, a complexity level must also be set out (e.g., for the language skills, the levels set out by Common European Framework of Reference for Languages are used),¹⁵⁰ In the case of specific competencies for high-level civil service positions, the legislation only defines the level of complexity required for foreign language skills; thus, if holding a high-level civil service position requires language skills in English, French, Spanish, German, then those skills must be set at least the B1 level of the Common European Framework of Reference for Languages.^{151, 152}

The general and specific competencies are used and verified in different stages of the HRM process.

The general competencies set out for high-level civil service positions are used and verified (i) in the recruitment stage (the national competition), which is the first stage of the competition by which such position may be filled (as presented in Section 0 of this deliverable), and (ii) in the appraisal of individual performance.¹⁵³ The specific competencies set out for high-level civil service positions are used and verified (i) in the selection stage (also called the competition for the position), which is the second stage of the competition by which such position may be filled, (ii) in the appraisal of individual performance, and (iii) in certain cases of changes to the service relationship¹⁵⁴ (i.e., mobility, secondment, transfer, holding a position on a temporary basis).¹⁵⁵ It should be noted that, unlike the specific competencies, general competencies are not verified when the service relationship is changed. While such a verification may not be justified for mobility, secondment, or transfer,¹⁵⁶ that is not the case when a high-level civil service position is filled on a temporary basis: because, initially, the civil servant holds a civil service position of a lower level than the one to which he/she is temporarily promoted to, the fact that he/she has the general competencies for the former position does not and cannot be considered to prove that he/she also has the general competencies for the latter position, since the former position entails general competencies of a

¹⁴⁹ According to Article 11(2) of Annex No 8 to GEO No 57/2019 on the Administrative Code.

¹⁵⁰ According to Article 11(3)-(5) of Annex No 8 to GEO No 57/2019 on the Administrative Code.

¹⁵¹ According to Article 14(3) of the framework methodology approved by Order No 332/2024, issued by NACS.

¹⁵² According to Article 394(4)(e¹) of GEO No 57/2019 on the Administrative Code, in order to fill a high-level civil service position by way of competition, as presented below, a candidate must have general knowledge concerning foreign language skills in English, French, German or Spanish, at A2 level. This requirement must be complied with, notwithstanding whether the high-level civil service does not entail the specific competency of foreign language skills.

¹⁵³ According to Article 5(a) and (c) of Annex No 8 to GEO No 57/2019 on the Administrative Code.

¹⁵⁴ The service relationship is the particular type of relationship entered into by civil servants on the basis of the administrative act by which they are appointed to fill a civil service position.

¹⁵⁵ According to Article 6(a), (c) and (d) and Article 21(8) of Annex No 8 to GEO No 57/2019 on the Administrative Code.

¹⁵⁶ In cases of mobility, secondment, or transfer, a high-level civil servant fills a different position of the same level or of a lower level.

If the civil servant occupied the initial high-level civil service position by way of competition, which entails verifying the general competencies for that type of position, then there is no need for he/she to prove having the same general competencies for filling another high-level civil service position, because general competencies are set out by reference to the type of position, not the position itself.

If the position filled following the change to the service relationship is of a lower level than the one initially held (e.g., a management level position), then that civil servant will, all the more, have the required general competencies for the lower level position, because the general competencies required for a high-level civil service position are of a higher degree of complexity than that required for lower level civil service positions.

lower complexity than those entailed by the latter. Thus, it would seem warranted that the general competencies be also verified at least in cases when a high-level civil service position is filled on a temporary basis, to have the assurance that the civil servant has the general competencies required to hold that type of position.

Filling high-level civil service positions

The ways in which high-level civil service positions may be filled are exhaustively set out in the Administrative Code: (i) by competition, (ii) through mobility, (iii) by holding a position on a temporary basis, and (iv) by reassignment from the reserve corps of civil servants¹⁵⁷. The competition conducted under the conditions set out in Article 467 of GEO No 57/2019 on the Administrative Code, and the reassignment from the reserve corps of civil servants are procedures that can be used to fill all the categories of civil service positions (execution-level positions, management-level positions, and high-level positions), of course, with particularities related to each category of position. Holding a position on a temporary basis is a type of procedure that can be used to fill management-level positions and high-level positions. Thus, the only procedure that is exclusive to high-level civil service positions is mobility, which is opened solely to persons that are already HLCS.

Competition

The competition conducted under the conditions set out in Article 467 of GEO No 57/2019 on the Administrative Code should be, for all intents and purposes, the “regular” procedure for filling high-level civil service positions. Out of all the procedures set out by law to fill high-level civil service positions, the competition is the one that ensures, in principle, the highest degree of transparency, and provides the opportunity for the widest possible participation. While taking part in the competition for filling high-level civil service positions is subject to complying with a set of requirements that are more restrictive than those applied for other ways of filling high-level civil service positions, the major upside of this procedure is that anyone who meets those requirements is free to apply.

The state and territorial civil service positions (i.e. including high-level civil service positions) that are going to be filled by way of competition are set out in the recruitment plan for civil servants.¹⁵⁸ Every two years NACS draws up the recruitment plan based on information regarding the needs in terms of human resources that public authorities and institutions forecast and submit to NACS.^{159, 160} The forecast of human resources needs in the civil service is substantiated (i) on the analysis report of the civil service positions referred to in point 0 of this deliverable, (ii) on data analysis and (iii) on institutional personnel deficit.¹⁶¹ The recruitment plan sets out the state and territorial civil service positions (i.e., including high-

¹⁵⁷ According to Article 394(2) of GEO No 57/2019 on the Administrative Code.

¹⁵⁸ According to Article 13(1) of Annex No 10 to GEO No 57/2019 on the Administrative Code.

¹⁵⁹ According to Article 17(1) of Annex No 10 to GEO No 57/2019 on the Administrative Code.

¹⁶⁰ The information that public authorities and institutions must submit to NACS for it to draw up the recruitment plan are laid down in Order No 337/2024, issued by NACS.

¹⁶¹ According to Article 15 of Annex No 10 to GEO No 57/2019 on the Administrative Code.

level civil service positions) which are vacant or are expected to become vacant in the two-years reference period and which are going to be filled by way of competition. The recruitment plan drawn up by NACS is subject to the approval by Government decision.¹⁶² It should be noted that civil service positions included in the recruitment plan approved by Government decision cannot be filled by transfer or permanent redeployment, or by mobility within the category of HLCS.¹⁶³ The first recruitment plan for civil servants was approved in 2025,¹⁶⁴ but prior to this, as a transitional measure provided in GEO No 121/2023, NACS had issued Order No 243/2024 approving the recruitment plan for civil servants that was used to fill certain vacant state and territorial civil service positions, namely, execution-level positions at the professional grade of entry-level and assistant, and management-level positions of director and deputy director.

The competition consists of two stages: (i) the recruitment stage (also called the national competition), which is aimed at creating a pool of candidates for civil service positions, and (ii) the selection stage (also called the competition for the position), which is aimed at finding the candidate that will actually fill a certain position. The competition is designed to, first, filter the candidates that have the general prerequisites for filling a certain type of civil service position. Thus, for each type of civil service position¹⁶⁵ a different instance of the recruitment stage is carried out.¹⁶⁶ It should be underlined that candidates that pass the first stage (the recruitment stage) do not become civil servants, they only gain the right to apply to the second stage (the selection stage) of the competition. While the recruitment stage is conducted for a type of civil service position, the selection stage is aimed at identifying the candidate that will fill a particular civil service position. The two-stage process is meant to ensure that candidates admitted to the second stage (the selection stage) have a minimum level of experience, general knowledge and competencies, allowing for the selection stage to be targeted on assessing the specific competencies and specialist knowledge required for a certain position. The candidate that is declared admitted following the selection stage (i.e., the candidate that obtains the highest mark) is officially appointed to fill the civil service position for which the candidate the selection stage was conducted.

The recruitment stage consists of verifying the general knowledge and the general competencies required to hold a civil service position¹⁶⁷. The recruitment stage is carried out through a national competition organized by NACS at least twice a year¹⁶⁸. The recruitment stage consists of three successive tests (only candidates that pass the previous test move to the next one), as follows.¹⁶⁹

¹⁶² According to Article 17(2) of Annex No 10 to GEO No 57/2019 on the Administrative Code.

¹⁶³ According to Article 12(d) and (e) of Annex No 10 to GEO No 57/2019 on the Administrative Code.

¹⁶⁴ Through GD No 298/2025.

¹⁶⁵ The type of position is defined by the category (execution-level, management-level or high-level), class (class I, II or III, defined according to the level of the studies required to fill in a position) and, if applicable, professional grade (professional grades refer only to execution-level position and may be entry-level, assistant, principal or superior) of the civil service position.

¹⁶⁶ For example, the recruitment stage of the pilot project was conducted by NACS for two types of positions: (i) entry-level (debutant) general civil service positions and (ii) high-level civil service positions.

¹⁶⁷ According to Article 33 of Annex No 10 to GEO No 57/2019 on the Administrative Code.

¹⁶⁸ According to Article 33 of Annex No 10 to GEO No 57/2019 on the Administrative Code.

¹⁶⁹ According to Article 34(2) of Annex No 10 to GEO No 57/2019 on the Administrative Code.

- a) **Verification of eligibility of candidates**, which is carried out online, on the competition IT platform developed and implemented by NACS.¹⁷⁰ This test consists of verifying that candidates fulfil the requirements to take part in the recruitment stage (presented in point 0 of this deliverable), by reference to the documents uploaded by candidates in the competition file section of their individual accounts created in the competition IT platform.¹⁷¹ The verification of eligibility is conducted by committees established by NACS.¹⁷²
- b) **Preliminary testing**, which is carried out online, on the competition IT platform, in testing centers.¹⁷³ This test consists of the candidates solving multiple choice tests which verify the candidates' knowledge regarding certain areas (e.g., public administration, IT) and cognitive abilities; candidates for high-level civil service position are also tested on their general knowledge of written communication in English, French, Spanish or German.¹⁷⁴
- c) **Advanced testing**, which, in the case of candidates for high-level civil service positions, is carried out in person, in assessment centers.¹⁷⁵ This test consists of verifying the general competencies corresponding to the type of civil service position for which the recruitment stage is conducted, according to the levels of complexity set out in the competency framework laid down in Annex No 8 to GEO No 57/2019 on the Administrative Code.¹⁷⁶ Advanced testing for high-level civil service positions is conducted in assessment centers, by certified competence assessment experts, through direct observation of the candidates' behavioral indicators which define the general competencies at the required level of complexity, as set out in the competency framework.¹⁷⁷

Candidates for a high-level civil service position by way of competition must fulfil a set of requirements comprising general requirements applicable to all civil servants as well as special requirements that are particular to HLCS¹⁷⁸. Besides the general requirements set out in Article 465 of GEO No 57/2019 on the Administrative Code (referred to in point 0 of this deliverable), candidates to high-level civil service positions by way of competition must also fulfil the following special requirements:¹⁷⁹

- a) To have a bachelor's degree or equivalent.
- b) To be a graduate with a master's degree in public administration, management or in the field of studies required for filling the civil service position or with an equivalent degree.

¹⁷⁰ According to Article 35(1) of Annex No 10 to GEO No 57/2019 on the Administrative Code.

¹⁷¹ According to Article 42(1) of Annex No 10 to GEO No 57/2019 on the Administrative Code.

¹⁷² According to Article 20(1) of Annex No 10 to GEO No 57/2019 on the Administrative Code.

¹⁷³ According to Article 35(2) of Annex No 10 to GEO No 57/2019 on the Administrative Code.

¹⁷⁴ According to Article 45(1) of Annex No 10 to GEO No 57/2019 on the Administrative Code.

¹⁷⁵ According to Article 35(4) of Annex No 10 to GEO No 57/2019 on the Administrative Code.

¹⁷⁶ According to Article 50(1) of Annex No 10 to GEO No 57/2019 on the Administrative Code.

¹⁷⁷ According to Article 50(3) of Annex No 10 to GEO No 57/2019 on the Administrative Code.

¹⁷⁸ According to Article 41(1) of Annex No 10 to GEO No 57/2019 on the Administrative Code corroborated with Article 394(4) of GEO No 57/2019 on the Administrative Code.

¹⁷⁹ According to Article 394(4) of GEO No 57/2019 on the Administrative Code.

- c) To have graduated from the specialized training programs for filling a high-level civil service position, organized by the National Institute of Administration (NIA) (as presented in points 0-0 of this deliverable), or to have served a full term of office as a Member of Parliament.
- d) To have at least 7 years' seniority in the field of studies required for filling the civil service position.
- e) To have a general knowledge of written communication skills in one of the following languages: English, French, German or Spanish at A2 level according to the Common European Framework of Reference for Languages.

The scope of the special requirements presented in point 0 of this deliverable is limited only to candidates for high-level civil service positions by way of competition, thus setting the ground for an uneven degree of expertise and experience between HLCS, depending on how they filled their positions. These special requirements are not genuine eligibility requirements for high-level civil service positions (i.e., requirements that must be fulfilled by any and all HLCS), but rather mere requirements to gain access to the competition, which is just one the ways in which high-level civil service positions may be filled. This means that civil servants that fill high-level civil service positions by other ways than the competition are not subject to the same standard when it comes to expertise and experience requirements. The potential unevenness of the corps of HLCS could be mitigated in the future if the competition were to become the main way of filling high-level civil service positions. This outcome is conditional especially on limiting the use of filling high-level civil service positions on a temporary basis. Another way of ensuring a similar/comparable degree of experience and expertise across the corps of HLCS would be to amend the legislation so that the same requirements that apply to filling high-level civil services positions by competition also apply, to the extent feasible, to the other ways of filling such positions.

At the end of the recruitment stage, a final report of the recruitment stage is generated and is published on the website of NACS and is uploaded to the competition IT platform.¹⁸⁰ The final report includes the results and marks obtained by the candidates in the recruitment stage, as generated by the competition IT platform.¹⁸¹ The date on which the final report of the recruitment stage is published is relevant to determine (i) the three-year period during which candidates that have passed the recruitment stage are allowed to take part in the selection stage (as presented in point 0 of this deliverable), and (ii) the deadline for public authorities and institutions to start organizing the selection stage (as presented in point 0 of this deliverable).

Candidates that have passed the recruitment stage may take part in the selection stage¹⁸² (i) for any civil service position that falls within the type of position for which they have passed the recruitment stage or (ii) for other civil service position within the same category, class and, if applicable, professional grade, that has the same level of complexity of the general competencies as the type of

¹⁸⁰ According to Article 62(2) of Annex No 10 to GEO No 57/2019 on the Administrative Code.

¹⁸¹ According to Article 62(1) of Annex No 10 to GEO No 57/2019 on the Administrative Code.

¹⁸² Article 467(9) and (9¹) of GEO No 57/2019 on the Administrative Code lay down exceptions to the rule that only candidates that have passed all the test of the recruitment stage may take part in the selection stage. Those exceptions concern only filling execution-level positions, and management-level positions, respectively.

position for which they have passed the recruitment stage¹⁸³ Thus, for example, a candidate that has passed the recruitment stage for entry-level general civil service positions may not apply to the selection stage for a management-level position. The right to apply to the selection stage is valid for a duration of up to three years from the date on which a candidate has passed the recruitment stage (i.e., from the date the final report of the recruitment stage is published).¹⁸⁴ The group of candidates that passed the recruitment stage is managed by NACS through the competition IT platform.¹⁸⁵ During the three-year period, each of the candidates that passed the recruitment stage are automatically notified of selection stages organized for any of the civil service positions they are eligible to take part in.¹⁸⁶

Public authorities and institutions decide when the selection stage for a particular civil service position within their organizational chart is started. As a rule, public authorities and institutions must start the procedure to organize the selection stage within 60 calendar days from the date on which the final report of the recruitment stage is published.¹⁸⁷ If the position is not filled after the initial selection stage, or if the position is vacated after being filled following the selection stage, public authorities and institutions may organize new instances of the selection stage for that position, over the period the recruitment plan that includes that position is in force.¹⁸⁸ In the case of the high-level civil service positions, public authorities and institutions must request NACS to organize the selection stage.¹⁸⁹ NACS forwards the request to the competition committee in charge of conducting the selection stage for high-level civil service positions.¹⁹⁰ The competition notice on the organization of the selection stage for high-level civil service positions is published on the website of the NACS, at least 30 calendar days before the date of the written test of the selection stage.¹⁹¹

While the selection stage for execution-level and management-level positions is managed by committees set up by each public authority/institution, the selection stage for high-level civil service positions is managed by two permanent committees set up at a national level: a competition committee, and an appeals committee.¹⁹² The two committees are appointed by decision of the Prime minister at the proposal of the minister responsible for public administration.¹⁹³ The members of the committees must meet certain eligibility requirements (that include having a good reputation and high professional competence, as well as the necessary skills to appraise public officials)¹⁹⁴, and are appointed

¹⁸³ Article 67(1) of Annex No 10 to GEO No 57/2019 on the Administrative Code defines how the notion of the same level of complexity of the general competencies applies for different civil service positions.

¹⁸⁴ According to Article 67 of Annex No 10 to GEO No 57/2019 on the Administrative Code.

¹⁸⁵ According to Article 63(1) of Annex No 10 to GEO No 57/2019 on the Administrative Code.

¹⁸⁶ According to Article 63(2) of Annex No 10 to GEO No 57/2019 on the Administrative Code.

¹⁸⁷ According to Article 68(2) of Annex No 10 to GEO No 57/2019 on the Administrative Code.

¹⁸⁸ According to Article 68(3) of Annex No 10 to GEO No 57/2019 on the Administrative Code.

¹⁸⁹ According to Article 470(1) of GEO No 57/2019 on the Administrative Code and to Article 69 of Annex No 10 to GEO No 57/2019 on the Administrative Code.

¹⁹⁰ According to Article 70(5) of Annex No 10 to GEO No 57/2019 on the Administrative Code.

¹⁹¹ According to Article 88(3) of Annex No 10 to GEO No 57/2019 on the Administrative Code.

¹⁹² According to Article 396(1) of GEO No 57/2019 on the Administrative Code and to Article 11(5), Article 65 and Article 75(6) of Annex No 10 to GEO No 57/2019 on the Administrative Code.

¹⁹³ According to Article 396(1) of GEO No 57/2019 on the Administrative Code.

¹⁹⁴ Laid down in Article 396(5) of GEO No 57/2019 on the Administrative Code.

for five-year terms of office.¹⁹⁵ The secretariat of the two committees is provided by NACS.¹⁹⁶ Certain cases of incompatibility¹⁹⁷ apply to members of the competition committee and of the appeals committee that manage the selection stage for high-level civil service positions, most notably that of not being appointed or elected to a public dignity position or not being candidate to such a position.¹⁹⁸ It should be underlined that review of the legislation in force did not reveal decisions of the Prime minister to appoint these two committees, issued after GEO No 57/2019 on the Administrative Code entered into force¹⁹⁹, which entails that, at the moment this deliverable was drawn up, these committees have not yet been set up.

The selection stage consists of verifying the specific competencies and specialist knowledge required to hold a particular civil service position²⁰⁰. The selection stage consists of three or, as the case may be, four successive tests (only candidates that pass the previous test move to the next one²⁰¹), as follows:²⁰²

- a) **Verification of eligibility of candidates**, which consists of verifying that candidates fulfil the requirements to take part in the selection stage, which are the same requirements that are verified during the first test of the recruitment stage (presented in point 0 of this deliverable), by reference to the documents uploaded by candidates in the competition file section of their individual accounts created in the competition IT platform.²⁰³ Specific competencies can also be verified during this test, if it has been decided that this verification will be done by means of documents (not by conducting an additional test). In the case of high-level civil service positions, this decision belongs to the competition committee²⁰⁴, which is in charge of conducting the whole verification of eligibility of candidates.²⁰⁵
- b) **Additional test**, which is an optional test that may be applied to verify specific competencies. In the case of high-level civil service position, the competition committee decides whether this test should be applied and, if so, designates the expert that will carry out the test.²⁰⁶ This additional test may be applied only if it has been decided that the specific competencies will not be verified by means of documents; if they are verified by means of documents, compliance with the requirements concerning the specific competencies is checked during the previous test (verification of eligibility of candidates).²⁰⁷

¹⁹⁵ According to Article 396(1) of GEO No 57/2019 on the Administrative Code.

¹⁹⁶ According to Article 396(10) of GEO No 57/2019 on the Administrative Code.

¹⁹⁷ Laid down in Article 79 of Annex No 10 to GEO No 57/2019 on the Administrative Code.

¹⁹⁸ According to Article 79(2)(d) of Annex No 10 to GEO No 57/2019 on the Administrative Code.

¹⁹⁹ The latest such decision that was identified is Decision No 473/2012, amended by Decision No 57/2018.

²⁰⁰ According to Article 66 of Annex No 10 to GEO No 57/2019 on the Administrative Code.

²⁰¹ According to Article 92(2) of Annex No 10 to GEO No 57/2019 on the Administrative Code.

²⁰² According to Article 92(1) of Annex No 10 to GEO No 57/2019 on the Administrative Code.

²⁰³ According to Article 42(1) of Annex No 10 to GEO No 57/2019 on the Administrative Code.

²⁰⁴ According to Article 92(4) of Annex No 10 to GEO No 57/2019 on the Administrative Code.

²⁰⁵ According to Article 396(3)(a) of GEO No 57/2019 on the Administrative Code.

²⁰⁶ According to Article 70(6)(b) of Annex No 10 to GEO No 57/2019 on the Administrative Code.

²⁰⁷ According to Article 92(4) of Annex No 10 to GEO No 57/2019 on the Administrative Code.

- c) **Written test**, which is aimed at verifying theoretical specialist knowledge and specific, practical skills as part of the specific competencies that the position in competition entails, other than the foreign language skills, the language skills for communication in the language of the national minority, or the digital competencies.²⁰⁸ The written test consists of a written summary paper, multiple choice tests, tests with open questions and/or exercises that involve solving practical situations.²⁰⁹ In the case of high-level civil service positions, the competition committee decides the type of written test to be applied, determines the subjects and draws up the sets of subjects for the written test and the corresponding scoring scale.²¹⁰ The actual sets of subjects that are used in the written test are automatically selected by the IT tools provided by NACS to the competition committee.²¹¹
- d) **Interview**, which is aimed at verifying the specific competencies required for holding the civil service position, which have not been verified by other tests, as well as the motivation of the candidates.²¹² The interview is conducted according to a plan drafted, in the case of high-level civil service positions, by the competition committee.²¹³ On top of the assessment criteria that are part of the interview plan for all civil service positions²¹⁴ (like the capacity for analysis and synthesis, and the behavior in crisis situations), the plan for high-level civil service positions must include two special criteria: (i) exercising decision-making control, and (ii) the professional and managerial experience of the candidates relevant to the specialized field of the position in competition.²¹⁵ The interview of candidates for high-level civil service positions is conducted by the competition committee.²¹⁶

The candidate who passes all the tests of the selection stage and obtains the highest mark²¹⁷ out of the candidates who competed in the selection stage is deemed to be admitted²¹⁸ and gains the right to be appointed to the civil service position for which the selection stage was organized. At the end of the competition, a final report of the selection stage, which includes the results obtained by the candidates, is drawn up and signed, in the case of high-level civil service positions, by (i) the members of the competition committee, (ii) the members of the appeals committee, (iii) the expert designated to conduct the additional test, if applicable, and (iv) the secretary of the committee.²¹⁹ The final results and the final report of the

²⁰⁸ According to Article 98(2) of Annex No 10 to GEO No 57/2019 on the Administrative Code.

²⁰⁹ According to Article 98(1) of Annex No 10 to GEO No 57/2019 on the Administrative Code.

²¹⁰ According to Article 99(3) of Annex No 10 to GEO No 57/2019 on the Administrative Code.

²¹¹ According to Article 99(5) of Annex No 10 to GEO No 57/2019 on the Administrative Code. The instructions on the use of IT tools for automatic extraction of subjects by the competition committee in the selection stage of competitions for state and territorial civil service positions are approved by Order No 604/2024, issued by NACS.

²¹² According to Article 101 of Annex No 10 to GEO No 57/2019 on the Administrative Code.

²¹³ According to Article 396(3)(c) of GEO No 57/2019 on the Administrative Code.

²¹⁴ Laid down in Article 102(2) of Annex No 10 to GEO No 57/2019 on the Administrative Code.

²¹⁵ According to Article 102(3) of Annex No 10 to GEO No 57/2019 on the Administrative Code.

²¹⁶ According to Article 396(3)(c) of GEO No 57/2019 on the Administrative Code.

²¹⁷ Provided he/she obtained the required minimum number of points.

²¹⁸ According to Article 109(3) of Annex No 10 to GEO No 57/2019 on the Administrative Code.

²¹⁹ According to Article 116(1) of Annex No 10 to GEO No 57/2019 on the Administrative Code.

selection stage are uploaded to the competition IT platform.²²⁰ Within 10 working days from date the final results of the selection stage are published in the competition IT platform, the candidate deemed admitted must submit, under penalty of not being appointed to the civil service position, the original copies of the documents he/she uploaded in the competition file section of his/her individual account created in the competition IT platform.²²¹ Within 15 working days from date the final results of the selection stage are published in the competition IT platform, the competition committee must submit the proposal for appointment in the civil service position of the candidate deemed admitted to the person who has the power of appointment²²² (in the case of high-level civil service positions, to the Prime minister). Within 10 working days from the date on which the proposal of appointment has been submitted by the competition committee, the administrative act of appointment to the civil service position (in the case of high-level civil service positions, the decision of the Prime minister) must be issued.²²³

Mobility

Mobility is both an obligation and an opportunity for HLCS. The mobility of HLCS covers all activities and decisions leading to changes in the service relationships of HLCS, within the category of HLCS, carried out in the public interest, for the performance of the work of public authorities and institutions and for the professional development of senior civil servants.²²⁴ Availability to being appointed to high-level civil service positions is inherent to HLCS,²²⁵ so much so that the unjustified refusal of a high-level civil servant to accept the mobility leads to him/her being released from the civil service position, in accordance with the law²²⁶ (in this case, the civil servant enters into the reserve corps of civil servants²²⁷). Mobility as a way of changing the service relationship is provided only for HLCS. The law sets out ways of changing the service relationship that have a similar effect as mobility and that apply to the other categories of civil servants (i.e. execution-level and management-level), namely transfer²²⁸ or permanent redeployment²²⁹; the major difference is that the latter always entail a request from the civil servant concerned or his/her prior agreement, while mobility, with the exception of mobility for professional development, is applied without requiring such an agreement.

Mobility of HLCS may be applied (i) for carrying out of the activity of public authorities and institutions, (ii) in the public interest, or (iii) for the professional development of HLCS.²³⁰ Mobility for carrying out of the activity of public authorities and institutions usually requires the existence of a vacant

²²⁰ According to Article 116(2) of Annex No 10 to GEO No 57/2019 on the Administrative Code.

²²¹ According to Article 129(1) of Annex No 10 to GEO No 57/2019 on the Administrative Code.

²²² According to Article 129(3) of Annex No 10 to GEO No 57/2019 on the Administrative Code.

²²³ According to Article 130(1) of Annex No 10 to GEO No 57/2019 on the Administrative Code.

²²⁴ According to Article 503(2) of GEO No 57/2019 on the Administrative Code.

²²⁵ According to Article 503(1) of GEO No 57/2019 on the Administrative Code.

²²⁶ According to Article 503(8) of GEO No 57/2019 on the Administrative Code.

²²⁷ According to Article 525(1) of GEO No 57/2019 on the Administrative Code corroborated with Article 519(1)(h) of GEO No 57/2019 on the Administrative Code.

²²⁸ Covered in Article 506 of GEO No 57/2019 on the Administrative Code.

²²⁹ Covered in Article 507 of GEO No 57/2019 on the Administrative Code.

²³⁰ According to Article 503(2) of GEO No 57/2019 on the Administrative Code and Article 213(1) of Annex No 10 to GEO No 57/2019 on the Administrative Code.

or temporarily vacant high-level civil service position.²³¹ As it can be implied from the relevant legal provisions²³², in the exceptional cases in which mobility for carrying out of the activity of public authorities and institutions is applied for governmental inspectors (i.e., a particular type of HLCS) to coordinate complex situations of a nature falling within the remit of HLCS, having a vacant or temporarily vacant position is not required. Mobility in the public interest does not require the existence of a vacant or temporarily vacant high-level civil service position because it entails mobility within the category of HLCS.²³³

As in all aspects of the service relationship of HLCS, mobility is applied through decisions issued by the Prime minister.²³⁴ Mobility for carrying out of the activity of public authorities and institutions is applied through decision of the Prime minister issued (i) at the reasoned request of the head of the public authority/institution, for the positions of secretary general, deputy secretary general, and secretary general of the prefect's institution, or (ii) at the initiative of the Prime minister, for the positions of governmental inspector.²³⁵ Mobility in the public interest is applied through decision of the Prime minister (the law does not provide for further details on whose initiative that decision is issued) or on the basis of a mobility plan approved by Government decision²³⁶ (review of the legislation in force did not reveal a Government decision approving such a mobility plan). Finally, mobility for the professional development of HLCS is applied by decision of the Prime minister issued at the written and reasoned request of the civil servant in question.²³⁷

Through mobility, a high-level civil servant may be appointed to a high-level civil service position or, as an exception, to a management-level civil service position. Usually, mobility of HLCS entails appointment to a vacant or temporarily vacant high-level civil service position (as mentioned in the previous section, mobility cannot though be applied to fill vacant positions included in the plan of recruitment of civil servants, drawn up by NACS and approved by Government decision²³⁸). If there is no vacant civil service position within the category of HLCS, mobility may involve appointment to a management-level position; since this type of position is lower than high-level civil service positions, such an appointment must be properly substantiated and is subject to the written agreement of the civil servant in question.²³⁹

²³¹ According to Article 215(1)(a) and (c) and Article 215(4) of Annex No 10 to GEO No 57/2019 on the Administrative Code.

²³² Out of the three situations of mobility for carrying out of the activity of public authorities and institutions, listed in Article 215(1) of Annex No 10 to GEO No 57/2019 on the Administrative Code, the requirement of having a vacant or temporarily vacant high-level civil service position is expressly mentioned only for two situations, leaving the third situation (the exceptional cases in which a governmental inspector is appointed to coordinate complex situations of a nature falling within the remit of high-level civil servants) not covered by that requirement.

²³³ According to Article 216(2) of Annex No 10 to GEO No 57/2019 on the Administrative Code.

²³⁴ According to Article 397 of GEO No 57/2019 on the Administrative Code.

²³⁵ According to Article 215(2) of Annex No 10 to GEO No 57/2019 on the Administrative Code.

²³⁶ According to Article 216(3) of Annex No 10 to GEO No 57/2019 on the Administrative Code.

²³⁷ According to Article 217 of Annex No 10 to GEO No 57/2019 on the Administrative Code.

²³⁸ According to Article 12(e) of Annex No 10 to GEO No 57/2019 on the Administrative Code.

²³⁹ According to Article 503(3) of GEO No 57/2019 on the Administrative Code.

The public authority/institution where a high-level civil servant will fill a vacant or temporary vacant position must verify that the civil servant has the specific competencies required to hold that position.²⁴⁰ This verification must also be conducted when the high-level civil servant is appointed to fill a management-level position.²⁴¹ Depending on the type of specific competency and on the decision of the public authority/institution, the specific competencies for the new position are verified by means of documents, by carrying out an additional test, or by carrying out a written test.²⁴²

Safeguards are provided by law to prevent excessive use of the mobility of HLCS. This method of changing the service relationship cannot be implemented (i) at the same time for all HLCS in a public authority or public institution or (ii) more than once a year for the same civil servant²⁴³ (mobility may be applied more than once a year at the request of that civil servant²⁴⁴). Furthermore, a high-level civil servant may refuse mobility if he/she is in one of the following situations: pregnancy; raising a minor child alone; his/her state of health, proven by a medical certificate, makes mobility inadvisable; serious family reasons.²⁴⁵

Temporary promotion to a high-level civil service position

A vacant or temporarily vacant high-level civil service position may be filled on a temporary basis by promoting a civil servant to that position.²⁴⁶ Although not expressly phrased as such in the law, holding a high-level civil service position on a temporary basis may be done in two ways: (i) by promoting a civil servant employed by the public authority/institution where there is that high-level civil service position, or (ii) by promoting a civil servant employed by another public authority/institution; in the latter case, the high-level civil service position is filled on a temporary basis through secondment of the civil servant employed by the other public authority/institution. The Prime minister's decision to appoint a civil servant to hold a high-level civil service position on a temporary basis is issued at the request of the head of the public authority/institution where there is the vacant or temporarily vacant position.²⁴⁷

Since it entails access of lower level civil servants (i.e., execution-level or management-level civil servants) to a high-level civil service position, the law provides that this way of filling such a position should only be used exceptionally if, due to objective reasons, the position could not be filled through mobility.²⁴⁸ This condition is justified because priority should be given to persons that already have the status of HLCS. Along the line of this reasoning, it might be appropriate to amend the legal provision to extend this condition to also include reassignment of HLCS from the reserve corps of civil servants as an option to be exhausted prior to filling a high-level civil service position on a temporary basis.

²⁴⁰ According to Article 21(8)(b) of Annex No 8 to GEO No 57/2019 on the Administrative Code.

²⁴¹ According to Article 503(3¹) of GEO No 57/2019 on the Administrative Code.

²⁴² According to Article 21(8)(b) of Annex No 8 to GEO No 57/2019 on the Administrative Code corroborated with Article 21(1)-(7) of Annex No 8 to GEO No 57/2019 on the Administrative Code.

²⁴³ According to Article 503(5) of GEO No 57/2019 on the Administrative Code.

²⁴⁴ According to Article 503(6) of GEO No 57/2019 on the Administrative Code.

²⁴⁵ According to Article 503(7) of GEO No 57/2019 on the Administrative Code.

²⁴⁶ According to Article 509(2) and (3) of GEO No 57/2019 on the Administrative Code.

²⁴⁷ According to Article 509(3) of GEO No 57/2019 on the Administrative Code.

²⁴⁸ According to Article 509(3) of GEO No 57/2019 on the Administrative Code.

In order to be promoted to a high-level civil service position on a temporary basis, civil servants must meet certain requirements, most notably that of having the specific competencies needed for that position. The civil servant must (i) fulfill the educational requirements necessary for holding the high-level civil service position, (ii) fulfill the conditions of seniority in field of studies required for filling the civil service position, (iii) prove that he/she has the specific competencies, and (iv) not have been subject to a disciplinary sanction (unless that disciplinary sanction was expunged, under the terms of the Administrative Code).²⁴⁹ The public authority/institution where there is the vacant or temporarily vacant high-level civil service position must verify the specific competencies needed to fill that position.²⁵⁰ Depending on the type of specific competency and on the decision of the public authority/institution, the specific competencies for the new position are verified by means of documents, by carrying out an additional test, or by carrying out a written test.²⁵¹ The civil servant must prove within 90 days from the moment the measure of filling the position on a temporary basis is decreed that he/she has the specific competencies needed to fill the that position²⁵², under penalty of the measure being rescinded.²⁵³ Upon expiry of the 90-day period, the public authority/institution where there is the vacant or temporarily vacant high-level civil service position must inform the Prime minister about the fulfillment or non-fulfillment by the temporarily promoted civil servant of the specific competencies needed to hold that position.²⁵⁴

Holding a high-level civil service position on a temporary basis is subject to strict time limits. Usually, a civil servant may temporarily be promoted to a vacant high-level civil service position for no more than six months in a year; in such cases, a prior notification must be sent to NACS ten days before the measure is decreed.²⁵⁵ There are two exceptions to this rule:

- a) The initial period of six months over which a high-level civil service position is filled on a temporary basis may be extended by a maximum of six months, if that position (i) is within public authorities and institutions of the central public administration, structures of the Presidential Administration, or structures of the judicial authority and (ii) was not filled by competition, as regulated in Article 467(3) of GEO No 57/2019 on the Administrative Code, by changing the service relationships (i.e., by mobility, or by filling the position on a temporary basis), by reassignment or by other ways set out in the Administrative Code; in this case, prior notification must be sent to NACS ten days before the measure of extending the temporary filling of the position is decreed.²⁵⁶

²⁴⁹ According to Article 509(2) of GEO No 57/2019 on the Administrative Code.

²⁵⁰ According to Article 509(3¹) of GEO No 57/2019 on the Administrative Code and to Article 21(8)(b) of Annex No 8 to GEO No 57/2019 on the Administrative Code.

²⁵¹ According to Article 21(8)(b) of Annex No 8 to GEO No 57/2019 on the Administrative Code corroborated with Article 21(1)-(7) of Annex No 8 to GEO No 57/2019 on the Administrative Code.

²⁵² According to Article 509(3¹) of GEO No 57/2019 on the Administrative Code.

²⁵³ According to Article 510(1²) of GEO No 57/2019 on the Administrative Code.

²⁵⁴ According to Article 509(3³) of GEO No 57/2019 on the Administrative Code.

²⁵⁵ According to Article 509(3¹) of GEO No 57/2019 on the Administrative Code corroborated with Article 510(1) of GEO No 57/2019 on the Administrative Code.

²⁵⁶ According to Article 510(2)(a) of GEO No 57/2019 on the Administrative Code.

- b) A high-level civil service position may be temporarily filled for the duration of exceptional situations such as a state of siege, a state of emergency or a state of alert, and for a maximum period of 60 calendar days after the end of the state of siege, state of emergency or state of alert, respectively; in such cases, a prior notification must be sent to NACS five days before the measure is decreed.²⁵⁷
- c) A temporarily vacant high-level civil service position may be filled on a temporary basis up until the reason for that position being temporarily vacant no longer exists²⁵⁸. By corroborating the legal provisions, it can be deduced that temporarily vacant high-level civil service position may not be filled on a temporary basis for longer than 6 months, notwithstanding whether the reason for that position being temporarily vacant extends over the 6 months period.

Although, according to the Administrative Code, filling a high-level civil service position on a temporary basis should be a duly substantiated exception, to be applied only if that position cannot be filled through mobility, the law does not provide a procedure with clear responsibilities for the institutional actors involved. Furthermore, a brief review highlighted that, in fact, this way of filling high-level civil service positions might be actually the rule, not the exception. The law does not provide any indications/prescriptions on the objective reasons and on the procedure to be applied when drawing the conclusion that the civil service position cannot be filled through mobility. The law does provide that applying this method of filling a high-level civil service position is subject to a prior notification being sent to NACS (depending on circumstances, the notification must be sent ten or five days prior to the measure being decreed), but, according to the reviewed legal provisions, NACS does not have to provide an opinion/clearance on the condition being met. Thus, it would seem that there are no checks and balances put in place to prevent the misuse or abuse of this method of filling high-level civil service positions. This fact coupled with the overwhelming prevalence of appointments to fill high-level civil service positions on a temporary basis raises serious concerns regarding the appropriate use of this way of filling high-level civil services positions. Therefore, in order to prevent any misuse/abuse, it is highly recommended that legal provisions be adopted outlining (i) the reasons that would objectively warrant recourse to filling a high-level civil service position on a temporary basis, and (ii) clear institutional responsibilities for verifying that those reasons as well as all other requirements are met.

Reassignment from the reserve corps of civil servants

A vacant or temporarily vacant high-level civil service position may be filled by reassigning a civil servant from the reserve corps of civil servants. The reserve corps of civil servants comprises the civil servant that were released from their civil service positions they hold, for any reason other than professional incompetence.²⁵⁹ Reassignment may be used to fill all categories of civil service positions, under the condition that the reassigned civil servant fills a civil service position of the same level (in terms of same

²⁵⁷ According to Article 509(3¹) of GEO No 57/2019 on the Administrative Code corroborated with Article 510(1¹) of GEO No 57/2019 on the Administrative Code.

²⁵⁸ According to Article 511(1) of GEO No 57/2019 on the Administrative Code.

²⁵⁹ Referred to in Article 525(1) of GEO No 57/2019 on the Administrative Code.

category, class and, if applicable, professional grade)²⁶⁰ as the one he/she held at the moment of entering into the reserve corps²⁶¹ (a civil servant from the reserve corps may also be reassigned to a lower level civil service position but only if he/she agrees to it²⁶²). Thus, a high-level civil service position may be filled through reassignment only by a civil servant that held a high-level civil service position at the moment he/she was placed in the reserve corps. Furthermore, the civil servant must meet the educational qualifications, seniority and specific conditions laid down in the job description for the position to which he/she is to be reassigned.²⁶³ The responsibility to verify that the requirements for reassignment are met lies with the public authority or institution where there is the position to be filled through reassignment.²⁶⁴

Filling a high-level civil service position through reassignment entails a procedure that starts with a request to fill the position in this way, followed by verification of the reserve corps of civil servants, then by the selection of the civil servant that will fill the position, and ends with the Prime minister issuing the decision to appoint the selected civil servant to the position in question:

- a) The procedure is initiated by submitting to NACS a request to fill a vacant or temporarily vacant high-level civil service position through reassignment. Depending on the type of position, that request is sent (i) by the head of the public authority or institution where there is the high-level civil service position to be filled, for the positions of secretary general, deputy secretary general, and governmental inspector, or (ii) by the minister coordinating the prefect's institution (i.e., the Minister of Interior Affairs), most likely²⁶⁵, for the positions of secretary general of the prefect's institution.²⁶⁶ The request must be submitted to NACS with the approval of the person who has the power to appoint to the civil service position (i.e., in the case of high-level civil service position, the Prime minister) and must include at least information on: (i) the method of reassignment (which can be direct selection or selection following professional testing), (ii) the civil service position for which reassignment is requested, identified by name, category, class and, where appropriate, professional grade²⁶⁷, the department where there is the position, and whether the position is to be

²⁶⁰ According to Article 526(2) of GEO No 57/2019 on the Administrative Code.

²⁶¹ According to Article 2(1) of the annex to Order No 193/2020 on approving the procedure for the reassignment of civil servants and the arrangements for conducting the professional testing in view of reassignment, issued by NACS.

²⁶² According to Article 526(2) of GEO No 57/2019 on the Administrative Code.

²⁶³ According to Article 2(5) of the annex to Order No 193/2020, issued by NACS.

²⁶⁴ According to Article 2(6) of the annex to Order No 193/2020, issued by NACS.

²⁶⁵ Order No 193/2020 on approving the procedure for the reassignment of civil servants and the arrangements for conducting the professional testing in view of reassignment, issued by NACS, has not been updated after the passing of the amendments to GEO No 57/2019 on the Administrative Code, by which the positions of prefect and deputy prefect were eliminated from the list of high-level civil service position, and the positions of secretary-general of the prefect's institution were added. Thus, Article 3(1)(a) of the annex to Order No 193/2020, issued by NACS, does not set out who has the responsibility to submit to NACS the requests to fill through reassignment positions of secretary-general of the prefect's institution. Nonetheless, it was assumed that this responsibility belongs to the minister coordinating the prefect's institution, since, in the case of positions of prefect and deputy-prefect, Order No 193/2020 provides that the requests are submitted by this minister.

²⁶⁶ According to Article 3(1)(a) of the annex to Order No 193/2020, issued by NACS.

²⁶⁷ Article 3(2)(b) of the annex to Order No 193/2020, issued by NACS, provides that, where appropriate, the professional grade must be indicated. Since this legal provision applies only to high-level civil service positions,

filled indefinitely or for a fixed term, and (iii) the educational qualifications, seniority and specific conditions laid down for filling the position.²⁶⁸

- b) NACS verifies the reserve corps in order to identify the HLCS that meet the requirements for the position for which the reassignment request was submitted for. The results of the verification are forwarded by NACS to the person that has submitted the reassignment request.²⁶⁹
- c) The high-level civil servant to be reassigned is selected either directly by the person that has submitted the reassignment request (as presented in point 0 of this deliverable), or through professional testing conducted by a professional testing committee (as presented in point 0 of this deliverable).²⁷⁰
- d) The person that has submitted the reassignment request forwards the proposal for reassignment of the selected high-level civil servant to the Prime minister.²⁷¹
- e) The Prime minister issues the decision of reassignment in the high-level civil service position.²⁷²

The person that has submitted the reassignment request may directly select the civil servant that will fill the vacant or temporarily vacant high-level civil service position. The civil servant is selected based on the information provided by NACS following the verification of the reserve corps of civil servants and in consideration of the requirements for filling the position in question. The direct selection is conducted according to a procedure approved at the level of the public authority or institution where the high-level position is the. The procedure must be published on the public authority/institution's website.²⁷³

The person that has submitted the reassignment request may decide to select the civil servant that will fill a vacant or temporarily vacant high-level civil service position following a professional testing procedure, which will be conducted by a professional testing committee designated by the head of public authority/institution where there is that position. The professional testing is conducted according

whereas the notion of “professional grade” is strictly related to execution-level positions, the reference to the professional grade does not seem warranted.

²⁶⁸ According to Article 3(2) of the annex to Order No 193/2020, issued by NACS.

²⁶⁹ According to Article 3(1)(b) of the annex to Order No 193/2020, issued by NACS.

²⁷⁰ According to Article 3(1)(c) of the annex to Order No 193/2020, issued by NACS.

²⁷¹ According to Article 526(7) of GEO No 57/2019 on the Administrative Code and to Article 15(1) of the annex to Order No 193/2020, issued by NACS. It should be noted that Article 3(1)(d) of the annex to Order No 193/2020, issued by NACS, provides that the proposal is forwarded to the Prime minister by the person that has submitted the reassignment request (which, in the case of positions of secretary-general of the prefect's institution, seems to be the minister of interior affairs), while Article 526(7) of GEO No 57/2019 on the Administrative Code and Article 15(1) of the annex to Order No 193/2020, issued by NACS, provides that the proposal is forwarded by the head of public authority or institution. Since the minister of interior affairs is not the head of the prefect's institution, Article 3(1)(d) of the annex to Order No 193/2020, issued by NACS, is not in line with Article 526(7) of GEO No 57/2019 on the Administrative Code and Article 15(1) of the annex to Order No 193/2020, issued by NACS.

²⁷² According to Article 3(1)(e) of the annex to Order No 193/2020, issued by NACS.

²⁷³ According to Article 5 of the annex to Order No 193/2020, issued by NACS.

to a procedure approved at the level of the public authority or institution where there is the high-level position, drawn up in consideration of the provisions of Order No 193/2020, issued by NACS.²⁷⁴ The public authority/institution that organizes the professional testing must post a notice on the main aspects relevant to the procedure (e.g., the civil service position for which the professional testing is conducted, the educational qualifications, seniority and specific conditions laid down for filling the position, the names of the members of the professional testing committee) at the place where the testing will be conducted and on its website.²⁷⁵ The professional testing in view of reassignment consists of two or, as the case may be, three successive stages (only candidates that pass a stage move to the next one²⁷⁶), as follows:²⁷⁷

- a) **Selection of application files**, which consists of the professional testing committee verifying that candidates fulfil the requirements of (i) being in the reserve corps, (ii) meeting the general and specific conditions set out for filling the position, (iii) having occupied at the date of entry into the reserve corps a civil service position of the same level or higher than the position to be filled by reassignment, and (iv) submitting the application file before the relevant deadline.²⁷⁸
- b) **Additional test**, which is organized only in situations where specific conditions have been set out for filling the civil service position requiring specialized competencies that cannot be assessed at the interview stage. The additional test is managed by one or more experts in the field.²⁷⁹
- c) **Interview**, which is conducted by the professional testing committee according to a plan drafted by the committee.²⁸⁰

Following the professional testing, the committee draws up a final report containing details of how the tests were conducted and the results obtained by the candidates.²⁸¹ The results are displayed at the place where the professional testing was held and are published on the public authority/institution's website.²⁸² The final report is forwarded to the head of the public authority/institution,²⁸³ which, in turn, submits a copy of the report together with the proposal of reassigning the high-level civil servant selected following the professional testing to the Prime minister²⁸⁴, who issues the decision of reassignment.²⁸⁵

The person that has submitted the reassignment request appears to have complete freedom to decide whether the civil servant to be reassigned to the high-level civil service position will be selected

²⁷⁴ According to Article 7(2) of the annex to Order No 193/2020, issued by NACS.

²⁷⁵ According to Article 6 of the annex to Order No 193/2020, issued by NACS.

²⁷⁶ According to Article 11(2) and 12(1) of the annex to Order No 193/2020, issued by NACS.

²⁷⁷ According to Article 7(1) of the annex to Order No 193/2020, issued by NACS.

²⁷⁸ According to Article 10(1) of the annex to Order No 193/2020, issued by NACS.

²⁷⁹ According to Article 11(1) of the annex to Order No 193/2020, issued by NACS.

²⁸⁰ According to Article 12 of the annex to Order No 193/2020, issued by NACS.

²⁸¹ According to Article 13(1) of the annex to Order No 193/2020, issued by NACS.

²⁸² According to Article 13(2) of the annex to Order No 193/2020, issued by NACS.

²⁸³ According to Article 8(4)(d) of the annex to Order No 193/2020, issued by NACS.

²⁸⁴ According to Article 15(1) of the annex to Order No 193/2020, issued by NACS.

²⁸⁵ According to Article 15(2) of the annex to Order No 193/2020, issued by NACS.

directly or following a professional testing procedure. The review of the legislation did not reveal any conditions or criteria that should inform and/or determine the decision on the way in which reassignment will be applied. This is the case for any type of civil service position to be filled by reassignment. While such freedom could be justified for filling execution-level positions or, to some extent, management-level positions, it may not be appropriate when filling high-level civil service positions. In view of their status, associated responsibilities and limited number, high-level civil service positions should be opened, whenever possible, to a clear, transparent and objective selection process. It is true that even direct selection must be done according to a procedure approved by the public authority/institution and published on its website, but the law does not give any indications on how this type of procedure should be conducted. Therefore, although it may seem a moot point (review of the legislation did not reveal any decisions issued by Prime minister for filling high-level civil service positions by reassignment), it would be advisable that civil servants to be reassigned to high-level civil service positions be selected only following a professional testing procedure, and not directly.

Changes to the service relationship

By corroborating the relevant legal provisions, it may be concluded that the types of changes that can be made to the service relationship of HLCS comprise (i) delegation, (ii) transfer, (iii) permanent redeployment, (iv) mobility. The Administrative Code sets out more types of changes that can be made to the service relationship of civil servants,²⁸⁶ but not all are applicable to HLCS (e.g., the service relationship of HLCS cannot be changed by promotion, since HLCS are already at the highest level of the civil service). It should be underlined that this chapter of the deliverable refers to changes to the service relationship of HLCS (i.e., to the service relationship of civil servants that already holds a high-level civil service position). Thus, for example, although holding a high-level civil service position on a temporary basis is a type of change to the service relationship, that change only applies to civil servants that hold an execution-level or management-level position; so, in fact, holding a high-level civil service position on a temporary basis can only be a change to the service relationship of an execution-level or management-level civil servant.

Delegation is a way of modifying a civil servant's service relationship by changing the place of work and in connection with the duties set out in his/her job description.²⁸⁷ The Administrative Code does not expressly specify that this type of change may apply to the service relationship of HLCS. Nonetheless, delegation was deemed to apply to HLCS, because there is no clear prohibition to that effect, and the content of this change does not seem to make it incompatible with the service relationship of HLCS. Delegation can be applied in the interests of the public authority or institution which employs the civil servant for a maximum of 60 calendar days in any one year²⁸⁸ (that time limit may only be exceeded with the written agreement of the civil servant concerned).²⁸⁹

²⁸⁶ The types of changes to the service relationships are listed in Article 502(1) of GEO No 57/2019 on the Administrative Code.

²⁸⁷ According to Article 504(1) of GEO No 57/2019 on the Administrative Code.

²⁸⁸ According to Article 504(2) of GEO No 57/2019 on the Administrative Code.

²⁸⁹ According to Article 506(8) of GEO No 57/2019 on the Administrative Code.

Transfer entails a change of position from one public authority/institution to another authority/institution. In the case of HLCS, transfer may be ordered only to an execution-level or a management-level civil service position²⁹⁰ (i.e., high-level civil service positions cannot be filled by transfer). The transfer may occur in the interest of the service or at the request of the civil servant concerned.²⁹¹ Transfer in the interest of service is made at the request of the head of the public authority/institution where the civil servant is to be transferred, with the written agreement of the civil servant (which means that a high-level civil servant cannot be forced to accept being transferred to execution-level or a management-level position) and with the approval of the head of the public authority/institution where the civil servant is appointed at the time of the transfer request.²⁹² Transfer at the request of the high-level civil servant is decreed by the person who has the legal power of appointment to the civil service position (i.e., the Prime minister), at the reasoned request of the high-level civil servant and with the approval of the head of the public authority/institution where there is the vacant execution-level or management-level civil service position to be filled by transfer.²⁹³

The public authority/institution where the civil servant is transferred to must verify that he/she (i) has the educational qualifications and seniority in the specialized field required by law for holding the position to be filled, (ii) has completed a certain training or specialization, where required by the position,²⁹⁴ and (iii) has the specific competencies needed to fill the position.²⁹⁵ To this end, the public authority/institution where there is the vacant civil service position must approve internal procedures for the selection of civil servants by transfer and for the verification of the conditions for carrying out the transfer, which must include, inter alia, information on how the specific competencies for position will be verified (i.e., by means of documents, by carrying out an additional test, and/or by carrying out a written test).²⁹⁶ The public authority/public where there is the vacant civil service position must also to publish on its website a notice containing the job description of the position, the procedure for verifying the fulfillment of the specific competencies, the necessary documents and the application period, the date, time and location set for the verification of the specific.²⁹⁷

Permanent redeployment entails a change of position within the public authority/institution or within another structure without legal personality of the public authority/institution.²⁹⁸ As in the case of transfer, the permanent redeployment of HLCS may be ordered only to a vacant execution-level or a management-level civil service position within the public authority or institution in which he/she

²⁹⁰ According to Article 507(5) of GEO No 57/2019 on the Administrative Code.

²⁹¹ According to Article 506(1) of GEO No 57/2019 on the Administrative Code.

²⁹² According to Article 506(6) of GEO No 57/2019 on the Administrative Code.

²⁹³ According to Article 506(11) of GEO No 57/2019 on the Administrative Code.

²⁹⁴ According to Article 506(5) of GEO No 57/2019 on the Administrative Code.

²⁹⁵ According to Article 509(8¹) of GEO No 57/2019 on the Administrative Code and to Article 21(8)(b) of Annex No 8 to GEO No 57/2019 on the Administrative Code.

²⁹⁶ According to Article 509(8¹) and (9) of GEO No 57/2019 on the Administrative Code and to Article 21(8)(b) of Annex No 8 to GEO No 57/2019 on the Administrative Code corroborated with Article 21(1)-(7) of Annex No 8 to GEO No 57/2019 on the Administrative Code.

²⁹⁷ According to Article 509(8¹) of GEO No 57/2019 on the Administrative Code.

²⁹⁸ According to Article 507(1) of GEO No 57/2019 on the Administrative Code.

works²⁹⁹ (i.e., high-level civil service positions cannot be filled by permanent redeployment). The permanent redeployment of a high-level civil servant may be decreed by the person who has the legal power of appointment to the civil service position (i.e., the Prime minister), at the reasoned request of the high-level civil servant concerned and with the approval of the head of the public authority/institution, if the civil servant fulfills the conditions for the civil service position to which the permanent redeployment is decreed, according to the job description.³⁰⁰ It should be noted that, as opposed to transfer, in the case of permanent redeployment, the law does not include specific provisions regarding the verification of the specific competencies for the vacant position to be filled. Permanent redeployment, unlike transfer, entails that the civil servant is employed within the same public authority/institution, but this particularity does not seem to warrant waiving the verification of specific competencies. The legal provision in question does lay down the obligation of the redeployed civil servant to fulfil the conditions for the civil service position, according to the job description, which can be construed to also imply fulfilling the specific competencies (which are set out in the job description). Nonetheless, since, in similar cases (e.g., mobility or transfer applied to HLCS in order to fill management-level positions or, in the case of transfer, execution level positions), the law provides an explicit reference to the verification of specific competencies, the opportunity of having such a reference in the case of permanent redeployment too should be analyzed.

Through mobility, a high-level civil servant may fill another high-level civil service position or, if such a position is not available for mobility, a management-level civil service position, in the latter case only with the written agreement of the civil servant concerned.³⁰¹ The main provisions regarding mobility are presented in section 0 of this deliverable.

Professional training and development of HLCS

The main obligations of public authorities and institutions concerning professional training and development

High-level civil servants are required, by law, to annually attend professional development programs.³⁰² All civil servants have the right and obligation to continuously improve their professional skills and training.³⁰³ To this end, public authorities and institutions are required to ensure the participation of each civil servant in at least one training and professional development program every two years, organized by the NIA or other training providers.³⁰⁴ Accordingly, public authorities and public institutions are required to set aside in their budgets the funds to pay the estimated fees for their civil servants to attend

²⁹⁹ According to Article 507(5) of GEO No 57/2019 on the Administrative Code.

³⁰⁰ According to Article 507(5) of GEO No 57/2019 on the Administrative Code.

³⁰¹ According to Article 503(3) of GEO No 57/2019 on the Administrative Code.

³⁰² According to Article 398(3) of GEO No 57/2019 on the Administrative Code, which will be repealed on 01.04.2025, high-level civil must attend, usually annually, professional development programs, but according to Article 398¹(3) of GEO No 57/2019 on the Administrative Code, which shall apply as of 01.01.2025, high-level civil must attend, annually, professional development programs.

³⁰³ According to Article 458(1) of GEO No 57/2019 on the Administrative Code.

³⁰⁴ According to Article 458(2) of GEO No 57/2019 on the Administrative Code.

training and professional development programs organized on the initiative or in the interest of the public authority or public institution.³⁰⁵

The particular professional development needs of HLCS are identified as part of the process of appraisal of the individual professional performance. Each of the stages of the individual professional performance appraisal of HLCS includes a component of identifying professional development needs, every actor involved in the appraisal process contributing to this goal:

- a) The high-level civil servant under appraisal must put forth, in his/her activity report drawn up as part of the annual appraisal process, proposals for professional development programs/courses that he/she should attend.³⁰⁶
- b) The person in charge of drawing up the appraisal opinion puts forth in the opinion proposals for professional development programs/courses that should be attended by the high-level civil servant under appraisal.³⁰⁷ Depending on the type of high-level civil service position, the person in charge of drawing up the appraisal opinion is (i) the head of the public authority/institution for the positions of secretary general and deputy secretary general within central public administration, (ii) the minister that coordinates the prefect's institution (i.e., the minister of interior affairs) for the positions of secretary general of the prefect's institution, and (iii) the secretary general of the Government for the positions of governmental inspector.³⁰⁸ The responsibility to draw up the appraisal opinion may be delegated, by administrative act, to the secretary of State who coordinates the activity of the high-level civil servant, or to a dignitary of the prefect's institution for the positions of secretary general of the prefect's institution.³⁰⁹
- c) The committee in charge of appraising the individual professional performance of HLCS puts forth in the appraisal report proposals for professional development programs/courses that should be attended by the high-level civil servant under appraisal.³¹⁰

Public authorities and institutions must approve each year the annual professional development plan for civil servants for the upcoming period³¹¹, the plan of measures regarding the professional development of civil servants³¹², and the funds allocated from the budget of the public

³⁰⁵ According to Article 458(4) of GEO No 57/2019 on the Administrative Code.

³⁰⁶ According to point 5 of the standard form for the activity report for the appraisal of individual professional performance, provided for in Article 10¹(I) of Annex No 6 to GEO No 57/2019 on the Administrative Code.

³⁰⁷ According to point 4 of the standard form for the opinion on the appraisal of individual professional performance, provided for in Article 10¹(II) of Annex No 6 to GEO No 57/2019 on the Administrative Code.

³⁰⁸ According to Article 3(1)(b) of Annex No 6 to GEO No 57/2019 on the Administrative Code.

³⁰⁹ According to Article 3(2) of Annex No 6 to GEO No 57/2019 on the Administrative Code.

³¹⁰ According to point 3 of the standard form for the report on the appraisal of individual professional performance, provided for in Article 10¹(III) of Annex No 6 to GEO No 57/2019 on the Administrative Code.

³¹¹ According to Article 459(1) of GEO No 57/2019 on the Administrative Code. This planning instrument is also mentioned in GD No 1066/2008.

³¹² According to Article 17(3) of GD No 1066/2008.

authority/institution for training civil servants.³¹³ The professional training needs of civil servants that inform this process of planning comprise (i) the training needs identified as part of the individual professional performance appraisal and set out in the appraisal report, as well as (ii) the training needs arising from legislative changes in the areas of competence of the civil servants and (iii) any relevant changes to their job descriptions.³¹⁴ The annual professional development plan for civil servants must be drawn up in accordance with the template drafted by NACS³¹⁵. The annual professional development plan sets out the number of civil servants proposed to be trained in the priority areas of training, broken down by each specific topic of the professional development programs for civil servants, as well as by each category civil servant (including, if applicable, HLCS).³¹⁶ The annual professional development plan may set out other specific topics regarding the professional development of civil servants than those related to the priority areas of training.³¹⁷ The annual professional development plan also includes data on the degree of correlation between the approved planning, the measures actually implemented and the results actually achieved in terms of the professional development of civil servants, in the previous year.³¹⁸

Public authorities and institutions are required to draw up quarterly reports on the status of the planned training measures as well as an annual report on the professional training of civil servants.

The quarterly reports are drawn up as part of the process of monitoring the way in which the planned measures regarding the professional training of civil servants are implemented.³¹⁹ At the end of each year, public authorities and institutions must draw up an annual report on the professional development of civil servants³²⁰, which is part of the annual activity report of the public authority/institution³²¹. The review of the legal framework did not bring to light any other provisions elaborating on the responsibilities of public authorities/institutions in monitoring the professional training/development of civil servants, but it may be presumed that the quarterly reports and the annual report inform decisions pertaining to the

³¹³ According to Article 17(3) of GD No 1066/2008.

³¹⁴ According to Article 16 of GD No 1066/2008.

³¹⁵ According to Order No 233/2022 for the approval of the content and instructions for the elaboration of the professional development plan for civil servants, as well as the manner of communication of the data required by the National Agency of Civil Servants on the professional development of civil servants, issued by NACS.

³¹⁶ According to table III of the content of the standard format of the professional development plan for civil servants, laid down in Annex No 1 to Order No 233/2022, issued by NACS.

³¹⁷ According to table IV of the content of the standard format of the professional development plan for civil servants, laid down in Annex No 1 to Order No 233/2022, issued by NACS.

³¹⁸ According to table II.3 of the content of the standard format of the professional development plan for civil servants, laid down in Annex No 1 to Order No 233/2022, issued by NACS, and to Article 11 of Annex No 2 to Order No 233/2022, issued by NACS.

³¹⁹ According to Article 15(2)(c) of GD No. 1066/2008.

³²⁰ According to Article 21(1) of GD No 1066/2008, the annual report on the professional development of civil servants includes information on (i) the number of civil servants within the public authority or public institution who participated in training programs, as planned, by categories of civil servants, (ii) the types of training received by civil servants within the public authority or public institution, (iii) the training program providers and how the training was delivered, (iv) the degree of correlation between the approved planning, the measures actually implemented and the results obtained, (v) the updates to the planning documents approved by the public authority/institution concerning the professional development, if applicable, and (vi) the proposals to improve the training system for civil servants, if applicable.

³²¹ According to Article 21(3) of GD No 1066/2008.

training/development process, both in implementing the current professional development plan, and in planning the professional development plan for the next period.

Although evaluation of the training of civil servants is acknowledged in GD No 1066/2008 as a responsibility that public authorities and institutions have (as proven by the definition given to the decentralized management of the training process³²²), there are no legal provisions elaborating on its scope, methodology, outline or on the responsibilities related to it. It can be argued that training evaluation is done, indirectly and to a limited extent, during appraisal of the individual professional performance of each civil servant: if the performance of a civil servant in the area in which he/she has undergone training did not improve and/or if the areas in which a civil servant needs additional professional training, as per the appraisal report, are the same as the ones in which he/she has already undergone training, then it might be assessed that the training program has not been entirely successful. In the absence of imperative legal provisions, it is up to each public authority/institution to decide whether to perform a proper evaluation of the professional training/development of its civil servants (including its HLCS) and how such an evaluation is conducted.

Professional training and development priorities and programs

Priorities for organizing and implementing of training programs for HLCS must be approved by Government decision. NACS must draw up the draft Government decision, based on the information provided (i) by the minister of interior affairs for the positions of secretary general of the prefect's institution³²³, (ii) by the General Secretariat of the Government (GSG) for the positions of secretary general and deputy secretary general within central public administration, and of governmental inspector and (iii) by the committee in charge of appraising the individual professional performance of HLCS.³²⁴ Review of the legislation did not reveal such a Government decision being adopted as of the moment this deliverable was drafted.

NACS centralizes the training needs of civil servants, based on the professional development plan for civil servants submitted by the public authorities and institutions.³²⁵ Public authorities and institutions have the obligation to submit to NACS information on the professional training and development of the civil servants they employ,³²⁶ which translates into the obligation to submit to NACS the annual

³²² According to Article 4(e) of GD No 1066/2008, the decentralized management of the training process is the principle according to which public authorities and institutions have full control over the planning of training, the procurement of training services, monitoring and evaluation of civil servants' training.

³²³ GD No 1066/2008 approving the rules on training of civil servants has not been updated after the passing of the amendments to GEO No 57/2019 on the Administrative Code, by which the positions of prefect and deputy prefect were eliminated from the list of high-level civil service position and the positions of secretary-general of the prefect's institution were added. Thus, Article 12(1)(a) of GD No 1066/2008 refers to the minister of interior affairs sending to NACS information regarding the positions of prefect and deputy prefect, but does not mention the positions of secretary general of the prefect's institution. Nonetheless, it was assumed that the same minister is tasked with providing NACS the relevant information for the positions of secretary general of the prefect's institution.

³²⁴ According to Article 12 of GD No 1066/2008.

³²⁵ According to Article 401(1)(g) of GEO No 57/2019 on the Administrative Code.

³²⁶ According to Article 459(2) of GEO No 57/2019 on the Administrative Code.

professional development plan for civil servants.³²⁷ NACS aggregates the information on the training needs of civil servants and draws up the annual report on the training of civil servants, which it publishes on its website.³²⁸ NACS also is required to make available the information on the training needs of civil servants to NIA and other training and professional development providers,³²⁹ so that they may tailor their programs to suit the training needs of civil servants (GEO No 67/2024 expressly states that NIA provides professional development programs for public administration staff, based on the training needs identified at the level of public administration and centralized by NACS³³⁰). The reviewed legislation does not provide in what format/way are the training needs made available to NIA and other training providers, but it may be presumed that it is done by way of the annual report on the professional training of civil servants.

NACS has the responsibility of defining, together with NIA, the specific topics of specialized training programs for the public administration and of development programs for civil servants.³³¹ Based on this responsibility, NACS has set out, by Order No 234/2022, the priority areas for professional training and development and the specific topics of professional training and development programs for civil servants. It should be pointed out that Order No 234/2022 was issued in consideration of Article 11 of GD No 1066/2008, which provides that NACS has the responsibility to define the priority areas for the professional training and development but only for execution-level and management-level civil servants (as mentioned in point 0 of this deliverable, the priorities for programs for HLCS must be approved by Government decision). Thus, technically, the priority areas set out by Order No 234/2022 do not apply to the professional training and development of HLCS.

Civil servants attend professional training/development programs according to the plan of measures regarding the professional development of civil servants, the annual professional development plan for civil servants and the funds to be allocated for professional development of civil servants by the public authority/institution that employs them.³³² Depending on the type of training program, attendance is subject to (i) a straightforward process of simply signing up (as is the case with most of the private training providers), (ii) a selection process conducted by the training provider (e.g., selection of trainees to professional training programs organized by the NIA is done according to the methodology approved by

³²⁷ According to Article 17(3) and 18 of GD No 1066/2008, public authorities and institutions that are main credit authorizing officers must submit to NACS the development plan for civil servants, the plan of measures regarding the professional development of civil servants, and information on the funds allocated from the budget of the public authority/institution for the training of civil servants. According to Article 21(3) of GD No 1066/2008, public authorities and institutions must also submit to NACS information on the degree of correlation between the approved planning, the measures actually implemented, and the results obtained, and on the proposals to improve the training system for civil servants, if applicable.

In fact, since the standard format of the professional development plan for civil servants, laid down in Annex No 1 to Order No 233/2022, issued by NACS, covers all the information on the professional development of civil servants that must be submitted to NACS, it would seem that the aforementioned reporting obligations are fulfilled by the public authorities and institutions sending the professional development plans for civil servants.

³²⁸ According to Article 18(3) of GD No 1066/2008.

³²⁹ According to Article 401(1)(g) of GEO No 57/2019 on the Administrative Code.

³³⁰ According to Article 11(6)(b) of GEO No 67/2004 on the reorganization and functioning of the National Institute of Administration.

³³¹ According to Article 401(1)(h) of GEO No 57/2019 on the Administrative Code.

³³² According to Article 19(2) of GD No 1066/2008.

Order No. 604/2021, issued by MDPWA) or (iii) even a competition (e.g., trainees to the specialized training program for filling a high-level civil service position are selected following a national competition, organized according to the provisions of GD No. 832/2007).

NIA provides the specialized training programs for filling high-level civil service positions.³³³

Although, evidently, any professional training provider may organize training programs that can be attended by HLCS, only NIA is entrusted with organizing the specialized training programs for filling high-level civil service positions. This special and exclusive competence conferred to NIA is justified by the fact that graduation of this specialized training program is one of the requirements that have to be fulfilled by candidates to high-level civil service positions by way of the competition organized under the conditions provided for in Article 467 of GEO No 57/2019 on the Administrative Code³³⁴ (as presented in point 0 of this deliverable, the alternative to this requirement is to have served a full term of office as a Member of Parliament).

The specialized training program for filling high-level civil service positions is organized usually annually by NIA³³⁵ and admission to the program is through a national competition³³⁶ to which only candidates meeting certain eligibility requirements can apply. The specialized training programs are organized according to the regulation approved by GD No 832/2007³³⁷. For each cohort of the specialized training program, which is usually organized annually, a regulation for organizing and running the national competition is approved by order of the minister of development, public works and administration, which sets out, inter alia, the number of available places and the tuition fee.³³⁸ The Administrative Code sets out a single requirement that has to be fulfilled by the persons that attend the specialized training program for filling high-level civil service positions: to be a civil servant at the start of the program or to have been a civil servant for at least one year.³³⁹ GD No 832/2007 lays down more stricter requirements that have to be fulfilled by candidates in order to attend the specialized training program:³⁴⁰

- a) to hold a high-level civil service position, or

³³³ According to Article 395(1) of GEO No 57/2019 on the Administrative Code and to Article 11(2) of GEO No 67/2024.

³³⁴ According to Article 394(4)(d) of GEO No 57/2019 on the Administrative Code.

³³⁵ According to Article 1(1) of the Annex to GD No 832/2007 for the approval of the Regulation on the organization and conduct of the specialized training program for filling a high-level civil service position.

³³⁶ According to Article 1(2) of the Annex to GD No 832/2007.

³³⁷ The provisions of GD No 832/2007 have not been updated after NIA was reestablished by GO No 23/2016 (repealed and replaced by GEO No 67/2024). Thus, GD No 832/2007 includes reference to NACS organizing specialized training program for filling high-level civil service positions, which was the case before NIA being reestablished. Although there have been general legal provisions which state that NIA takes over the activity in the area of public administration training and of professional development for civil servants, from NACS (namely, Article 1(1) of GO No. 23/2016), in the event of a future revision GD No. 832/2007, references to NACS should be replaced, where appropriate, with references to NIA.

³³⁸ According to Article 2(1) of the Annex to GD No 832/2007.

³³⁹ According to Article 395(2) of GEO No 57/2019 on the Administrative Code.

³⁴⁰ According to Article 7 of the Annex to GD No 832/2007.

- b) to meet the requirements set out in Article 16(2)(b) and Article 54(a), (b), (d), (h)-(j) of Law No 188/1999 (which has been repealed and replaced by the Administrative Code) and to have at least 4 years' experience in the field of specialization of the long-term higher education studies the candidate graduated from.

Since Law No 188/1999 has been repealed and replaced by the Administrative Code, but GD No 832/2007 was not expressly amended in reference to the new legislation, the eligibility requirements for candidates have been updated in the regulations approved for the annual sessions of the specialized training program. Thus, the latest such regulation (namely, Order No 770/2024, issued by MDPWA), provides that candidates to the specialized training program must:

- a) hold a high-level civil service position, or

- b) meet the following requirements:

- (i) the requirement set out in Article 394(4)(**b**) of GEO No 57/2019 on the Administrative Code, i.e., to have a bachelor's degree or equivalent.

It should be pointed out that, in fact, Order No 770/2024, issued by MDPWA, references the requirement set out in Article 394(4)(**a**) of GEO No 57/2019 on the Administrative Code (i.e., to fulfill the general requirements for holding a civil service position set out in Article 465 of GEO No 57/2019 on the Administrative Code). This seems to be an obvious error because a reference to all the conditions laid down in the Article 465 of GEO No 57/2019 on the Administrative Code would overlap with the requirement mentioned below in point (iii), which references only some of the conditions laid down in the Article 465(1) of GEO No 57/2019 on the Administrative Code. Furthermore, this error is proven by the fact that GD No 832/2007 references the requirement set out in Article 16(2)(b) of Law No 188/1999 (to have a bachelor's degree with diploma, i.e., long-term higher education studies with bachelor's degree or equivalent), which is identical to the requirement set out in Article 394(4)(b) of GEO No 57/2019 on the Administrative Code. The same error is found in Order No 343/2023 approving the regulation for the specialized training program organized in 2023, issued by MDPWA, and in Order No 1190/2022 approving the regulation for the specialized training program organized in 2022, issued by MDPWA. In fact, the correct legal reference to the requirement set out in Article 394(4)(b) of GEO No 57/2019 on the Administrative Code can only be found in Order No 3008/2019 approving the regulation for the specialized training program organized in 2019, issued by MRDPA (repealed by Order No 3162/2019, issued by MDPWA);

- (ii) the requirement set out in Article 395(2) of GEO No 57/2019 on the Administrative Code, i.e., to be a civil servant at the start of the program or to have been a civil servant for at least one year;

- (iii) the requirements set out in Article 465(1)(a), (b), (d), (h)-(k) of GEO No 57/2019 on the Administrative Code, i.e.:

- to hold the Romanian citizenship, and to be domiciled in Romania;

- to know the Romanian language, written and spoken;
- to have full capacity of exercising its legal rights (i.e., to be fully able to conclude legal acts on his/her own);
- to not have been convicted of certain crimes (e.g., crimes against humanity, against the state or against authority, crimes of corruption or offenses in the line of duty);
- to not have been barred from holding a civil service position or from exercising the profession or activity in the execution of which he/she committed the crime, by a final court decision, under the conditions of the law;
- to not have been dismissed from a civil service position or to not have had his/her individual employment contract terminated for disciplinary reasons within the last 3 years;
- to not have been a State Security (“Securitate”) worker or collaborator with the under the conditions provided for by the specific legislation.

The national competition for gaining access to the specialized training program for filling high-level civil service positions comprises two stages: selection of application files and interview.³⁴¹ The national competition is conducted by two types of committees (a competition committee, and an appeals committee). The number of committees and the members of the committees (each committee is comprised of a representative from NIA, one from MDPWA, and one from GSG) as well as the topics for the competition, and the timetable for the competition are set out by order of MDPWA³⁴² (the same order that approves the regulation for organizing and running the national competition of a particular session of the specialized training program). The first stage of the national competition consists of verifying compliance with the eligibility requirements set out for the specialized training program (presented in point 0 of this deliverable) and the existence of the documents that candidates must attach to their application files to prove that they meet those requirements.³⁴³ Candidates that have passed the first stage of the national competition are admitted to the interview, which consists of testing the general knowledge of public administration, as well as the skills and competencies needed to fill a high-level civil service position. The interview is conducted in consideration of the evaluation criteria laid down in GD No 832/2007, which include communication skills, managerial skills, the capacity to make decisions and assess their impact, motivation.³⁴⁴ Candidates who pass the interview (i.e., candidates whose marks are at least equal to the pass mark of five points³⁴⁵), in descending order of the marks obtained, within the limit of the approved number of places for that session, will be admitted to the specialized training program.³⁴⁶

Candidates admitted to the specialized training program for filling high-level civil service positions have to attend the training modules and, in order to graduate, must pass a final evaluation at the end

³⁴¹ According to Article 6(2) of the Annex to GD No 832/2007.

³⁴² According to Article 2(2) of the Annex to GD No 832/2007, these aspects of the national competition should be set out by order of NACS. Due to the fact that the responsibilities NACS had in connection to the specialized training program were taken over by NIA when GO No 23/2016 was adopted (repealed and replaced by GEO No 67/2024), currently, these aspects are set out by order of MDPWA.

³⁴³ According to Article 16(2) of the Annex to GD No 832/2007.

³⁴⁴ The evaluation criteria for the interview are listed in Article 18(2) of the Annex to GD No 832/2007.

³⁴⁵ According to Article 21(3) of the Annex to GD No 832/2007.

³⁴⁶ According to Article 22(1) of the Annex to GD No 832/2007.

of the program. Each specialized training program is conducted according to the provisions of the order issued NIA for that particular instance of the program, which sets out the number of modules, duration of each training module, the dates on which the training modules and the final evaluation, respectively, will take place.³⁴⁷

Individual performance appraisal for high-level civil servants

As all civil servants, HLCS are subject to an annual appraisal of their individual professional performance. According to Article 398(3) of GEO No 57/2019 on the Administrative Code, which will be repealed on 01.04.2025 (i.e., which applies for the appraisal of the activity carried out until 31.12.2024), the appraisal aims to verify the fulfillment of performance criteria and the degree and manner of achievement of individual objectives, according to the methodology laid down in Annex No 6 to GEO No 57/2019 on the Administrative Code. According to Article 398¹(3) of GEO No 57/2019 on the Administrative Code, which shall apply as of 01.01.2025 (i.e., which shall apply for the appraisal of the activity carried out starting from 01.01.2025), appraisal of the individual professional performance of HLCS will be competency-based.³⁴⁸ This means that the appraisal will consist of verifying the achievement of individual objectives, using the general competency frameworks and related levels of complexity as well as and the descriptors and behavioral indicators of the general competencies set for high-level civil service positions according to the provisions of Annex No 8 to GEO No 57/2019 on the Administrative Code.

Appraisal of the individual professional performance of HLCS is conducted by a dedicated committee set up at a national level. The committee in charge of appraising the individual professional performance of HLCS is appointed by decision of the Prime minister, at the proposal of the minister of development, public works and administration.³⁴⁹ The members of the committee must meet certain eligibility requirements (which include having a good reputation and high professional competence, as well as the necessary skills to appraise public officials),³⁵⁰ and are appointed for three-year terms of office.³⁵¹ The secretariat of the committee is provided by NACS.³⁵² The current committee in charge of appraising the individual professional performance of HLCS has been appointed by Decision No 523/2023, issued by the Prime minister.³⁵³

³⁴⁷ According to Article 26(1) of the Annex to GD No 832/2007.

³⁴⁸ The shift to competency-based appraisal of individual performance will also be implemented, starting from 01.01.2025, for the civil servants that hold execution-level and management-level civil service positions at state or territorial level, according to Article 485¹ of GEO No 57/2019 on the Administrative Code.

³⁴⁹ According to Article 398(1) and Article 398¹(1) of GEO No 57/2019 on the Administrative Code.

³⁵⁰ Laid down in Article 396(5) of GEO No 57/2019 on the Administrative Code.

³⁵¹ According to Article 398(1) and Article 398¹(1) of GEO No 57/2019 on the Administrative Code.

³⁵² According to Article 398(1) and Article 398¹(1) of GEO No 57/2019 on the Administrative Code corroborated with Article 396(10) of GEO No 57/2019 on the Administrative Code.

³⁵³ It should be noted that, according to the preamble to Decision No 523/2023, this decision was issued by the Prime minister at the proposal of the minister of development, public works and administration, and of the president of NACS, whereas, according to Article 398(1) and Article 398¹(1) of GEO No 57/2019 on the Administrative Code, the committee in charge of appraising the individual professional performance of high-level civil servants is appointed at the proposal of the minister of development, public works and administration.

Under the appraisal process conducted according to Article 398 of GEO No 57/2019 on the Administrative Code and to the methodology laid down in Annex No 6 to GEO No 57/2019 on the Administrative Code, the individual objectives are set out for each high-level civil servant at the beginning of every year³⁵⁴ and the fulfilment of those objectives is assessed in reference to the performance criteria provided for HLCS in the methodology.³⁵⁵ Depending on the type of high-level civil service position, the person in charge of setting up the individual objectives of HLCS is (i) the head of the public authority/institution for the positions of secretary general and deputy secretary general within central public administration, (ii) the minister that coordinates the prefect's institution (i.e., the minister of interior affairs) for the positions of secretary general of the prefect's institution, and (iii) the secretary general of the Government for the positions of governmental inspector.³⁵⁶ The responsibility to set out the objectives for the period under appraisal may be delegated, by administrative act, to the secretary of State who coordinates the activity of the high-level civil servant, or to a dignitary of the prefect's institution for the positions of secretary general of the prefect's institution.³⁵⁷ The individual objectives for each high-level civil servant are set out in a document dated and signed by the person responsible for setting the objectives and by the high-level civil servant.³⁵⁸ For each individual objective a deadline and corresponding performance indicators are set out.³⁵⁹

The appraisal of the individual professional performance of HLCS is conducted between 1st January and 31st March of every year for the activity carried out in the previous year and is finalized by the appraisal committee drawing up the appraisal report. The appraisal is conducted on the basis of the following documents: (i) the activity report drawn up by the high-level civil servant under appraisal, (ii) the appraisal opinion drawn up by the same person in charge of setting up the individual objectives of HLCS (with the distinctions presented in point 0 of this deliverable), (iii) the job description of the high-level civil servant under appraisal, and (iv) the document by which the objectives for the period under appraisal and the performance indicators are set out.³⁶⁰ The appraisal process comprises the following stages that are carried out by the appraisal committee:

- a) Reviewing the documents on the basis of which the appraisal is conducted.³⁶¹ During this stage, the committee may request that the activity report and/or the appraisal opinion report be revised, if they are incomplete or contain errors.³⁶²

³⁵⁴ According to Article 4(1) of Annex No 6 to GEO No 57/2019 on the Administrative Code.

³⁵⁵ According to Article 4(5) of Annex No 6 to GEO No 57/2019 on the Administrative Code. The performance criteria for assessing the degree to which the objectives set out for high-level civil servants have been fulfilled are listed in Article 29(a)(VII) of Annex No 6 to GEO No 57/2019 on the Administrative Code.

³⁵⁶ According to Article 4(1) of Annex No 6 to GEO No 57/2019 on the Administrative Code.

³⁵⁷ According to Article 4(2) of Annex No 6 to GEO No 57/2019 on the Administrative Code.

³⁵⁸ According to Article 4(3) of Annex No 6 to GEO No 57/2019 on the Administrative Code.

³⁵⁹ According to Article 4(4) and (7) of Annex No 6 to GEO No 57/2019 on the Administrative Code.

³⁶⁰ According to Article 3(1) of Annex No 6 to GEO No 57/2019 on the Administrative Code.

³⁶¹ According to Article 5(1)(a) of Annex No 6 to GEO No 57/2019 on the Administrative Code.

³⁶² According to Article 5(2) of Annex No 6 to GEO No 57/2019 on the Administrative Code.

- b) Assessing the fulfillment of each objective in terms of the degree of achievement in relation to the deadlines and performance indicators.³⁶³
- c) Assessing the fulfillment of each performance criterion in the achievement of the set objectives.³⁶⁴
- d) Conducting an interview with the high-level civil servant under appraisal. This stage is mandatory only if there are differences between the information in the activity report and the appraisal opinion.³⁶⁵
- e) Drawing up the appraisal report in accordance with standard form laid down in the methodology³⁶⁶. The report includes the final mark awarded by the committee to the high-level civil servant under appraisal, which is the arithmetic average of the marks awarded for fulfilling the objectives and for the performance criteria, respectively.³⁶⁷ The final grade of the appraisal is determined on the basis of the final mark as follows: (i) between 1.00-2.50 - unsatisfactory; (ii) between 2.51-3.50 - satisfactory; (iii) between 3.51-4.50 - good; (iv) between 4.51-5.00 - very good.³⁶⁸ The appraisal report is drawn up in two original copies, one archived at the secretariat of the appraisal committee and the other sent to the public authority/institution which employs the high-level civil servant under appraisal. The public authority/institution must send a copy of the appraisal report to the high-level civil servant.³⁶⁹

While getting the "unsatisfactory" grade leads to the civil servant being released from the civil service position³⁷⁰, no provisions were identified in the Administrative Code concerning the consequences that getting one of the other types of grade might have on HLCS. In the case of execution-level and management-level civil servants, the Administrative Code states that the grades obtained following the appraisal of the individual professional performance are taken into consideration taken into account for (i) promotion to a higher civil service position, (ii) the granting of bonuses, in accordance with the law, (iii) reduction of salary rights by 10% until the next annual individual professional performance appraisal, for civil servants who have obtained the "satisfactory" grade, (iv) release from the civil service position, for civil servants who have obtained the "unsatisfactory" grade.³⁷¹ Such provisions were not identified in the case of HLCS.

Review of the legislation did not reveal, as of the moment this deliverable was drawn up, provisions on the methodology that will be applied for the competency-based appraisal of the individual

³⁶³ According to Article 5(1)(b) of Annex No 6 to GEO No 57/2019 on the Administrative Code.

³⁶⁴ According to Article 5(1)(c) of Annex No 6 to GEO No 57/2019 on the Administrative Code.

³⁶⁵ According to Article 7 of Annex No 6 to GEO No 57/2019 on the Administrative Code.

³⁶⁶ The standard form for the report on the appraisal of the individual professional performance is laid down in Article 10¹(III) of Annex No 6 to GEO No 57/2019 on the Administrative Code.

³⁶⁷ According to Article 5(5) of Annex No 6 to GEO No 57/2019 on the Administrative Code.

³⁶⁸ According to Article 8 of Annex No 6 to GEO No 57/2019 on the Administrative Code.

³⁶⁹ According to Article 9 of Annex No 6 to GEO No 57/2019 on the Administrative Code.

³⁷⁰ According to Article 519(1)(e) of GEO No 57/2019 on the Administrative Code.

³⁷¹ According to Article 21(1) of Annex No 6 to GEO No 57/2019 on the Administrative Code.

professional performance of HLCS, according to Article 398¹ of GEO No 57/2019 on the Administrative Code, for the activity carried out starting from 01.01.2025. In the case of civil servants that hold execution-level and management-level civil service positions at state or territorial level, for which the competency-based appraisal of the individual professional performance will also be implemented starting from 01.01.2025, the Administrative Code provides that the appraisal shall be conducted in compliance with the methodology for assessing the individual professional performance of civil servants on the basis of competencies, which shall be approved by law (as of the moment this deliverable was drawn up, this methodology has not yet been approved).³⁷² Although such an explicit provision was not identified for the competency-based appraisal of the individual professional performance of HLCS, it may be assumed that a similar methodology should be approved for this category of civil servants.

Administrative and disciplinary liability

The culpable breach by civil servants of the duties corresponding to the civil service position that they hold and of the rules of professional and civic conduct laid down by law constitutes a disciplinary infringement and entails the administrative and disciplinary liability of civil servants.³⁷³ Article 492(2) of GEO No 57/2019 on the Administrative Code lists the acts that are deemed disciplinary infringements, which apply to all categories of civil servants (including HLCS).³⁷⁴ These disciplinary infringements range from systematic delays or repeated negligence in carrying out the work³⁷⁵ to violation of the provisions on incompatibilities (if the civil servant does not take action to put an end to the incompatibilities within 15 calendar days from the date on which the incompatibility arose)³⁷⁶ or violation of conflict of interest provisions.³⁷⁷ Review of the provisions of the Administrative Code did not reveal any case of a disciplinary infringement that is specific only to HLCS.³⁷⁸

The Administrative Code defines six types of disciplinary sanctions and sets out which of these sanctions may be applied for each of the disciplinary infringements laid down in Article 492(2) of GEO No 57/2019 on the Administrative Code.³⁷⁹ The disciplinary sanctions that can be applied for

³⁷² According to Article 485¹(8) of GEO No 57/2019 on the Administrative Code.

³⁷³ According to Article 492(1) of GEO No 57/2019 on the Administrative Code.

³⁷⁴ The disciplinary infringements are listed in Article 492(2) of GEO No 57/2019 on the Administrative Code. There are also particular infringements set out in other provisions of GEO No 57/2019 on the Administrative Code (which are covered by Article 492(2)(n) of GEO No 57/2019 on the Administrative Code, which refers to other acts set out as disciplinary infringements in legislation regarding the civil service and the civil servants or applicable to them). For example, according to Article 508(2) of GEO No 57/2019 on the Administrative Code, the unjustified refusal of a civil servant to accept redeployment is deemed a disciplinary infringement.

³⁷⁵ According to Article 492(2)(a) and (b) of GEO No 57/2019 on the Administrative Code.

³⁷⁶ According to Article 492(2)(l) of GEO No 57/2019 on the Administrative Code.

³⁷⁷ According to Article 492(2)(m) of GEO No 57/2019 on the Administrative Code.

³⁷⁸ According to Article 503(8) of GEO No 57/2019 on the Administrative Code, the unjustified refusal of a high-level civil servant to accept the mobility leads to him/her being released from the civil service position, but this is not deemed to be a disciplinary infringement.

³⁷⁹ Article 492(4) of GEO No 57/2019 on the Administrative Code sets out the types of disciplinary sanctions that may be applied for each of the disciplinary infringements laid down in Article 492(2) of GEO No 57/2019 on the Administrative Code.

disciplinary infringements are: (i) written reprimand, (ii) reduction of salary rights by 5-20% for a period of up to 3 months; (iii) reduction of salary rights by 10-15% for a period of up to one year, (iv) suspension of the right to promotion for a period of one to three years, (v) demotion to a lower civil service position for a period of up to one year with a corresponding reduction in salary, and (vi) dismissal from the civil service position.³⁸⁰ While the law does not expressly state, it is clear that the disciplinary infringement of suspending the right to promotion does not and cannot be applied to HLCS, since they are already at the highest level of the civil service.

The disciplinary sanctions are applied by administrative act issued by the person who has the legal power of appointment to the civil service position. Almost all of the disciplinary sanctions can be applied only after an administrative-disciplinary procedure is carried out by a discipline committee.

The written reprimand, and the dismissal from the civil service position because of violation of the provisions on incompatibilities may be applied directly by the person who has the legal power of appointment to the civil service position.³⁸¹ In all other cases, the sanction is applied by the person who has the legal power of appointment to the civil service position only based on the proposal put forth by the discipline committee.³⁸² The administrative-disciplinary procedure comprises three stages:³⁸³ (i) lodging a complaint with the discipline committee, (ii) verification of the conflict of interest in which the members of the discipline committee may find themselves,³⁸⁴ and verification of the admissibility of the complaint, and (iii) conducting the administrative inquiry procedure, which entails (a) hearing of the person who lodged the complaint, of the civil servant whose act was reported as an administrative infringement, and of any other person that may have information relevant for solving the complaint, (b) taking of evidence proposed by the parties and, where appropriate, requested by the discipline committee, (c) debating the case.³⁸⁵ The administrative inquiry procedure ends:³⁸⁶ (i) when the complaint is closed because it does not meet the conditions of admissibility, or (ii) at the end of the debate of case, when the discipline committee may propose either to apply a disciplinary sanction, if the existence of an administrative infringement has been proven, or to close the complaint, if an administrative infringement is not confirmed.³⁸⁷ After the end of the administrative inquiry procedure, the discipline committee draws up a report regarding the complaint,³⁸⁸ which is brought to the knowledge of the person who has the legal power of appointment to the civil service position, the person who made the complaint and the civil servant whose act has been reported.³⁸⁹ If the report drawn up by the discipline committee concludes that a disciplinary sanction should be applied, the person who has the legal power of appointment to the civil service position must issue the administrative act of disciplinary sanction³⁹⁰ (i.e., in the case of HLCS, the decision of the Prime minister).

³⁸⁰ According to Article 492(3) of GEO No 57/2019 on the Administrative Code.

³⁸¹ According to Article 493(2) and (3) of GEO No 57/2019 on the Administrative Code.

³⁸² According to Article 493(4) of GEO No 57/2019 on the Administrative Code.

³⁸³ According to Article 25 of Annex No 7 to GEO No 57/2019 on the Administrative Code.

³⁸⁴ The situations of conflict of interest are laid down in Article 11(1) of Annex No 7 to GEO No 57/2019 on the Administrative Code.

³⁸⁵ According to Article 32(2) of Annex No 7 to GEO No 57/2019 on the Administrative Code.

³⁸⁶ According to Article 50 of Annex No 7 to GEO No 57/2019 on the Administrative Code.

³⁸⁷ According to Article 49(1) of Annex No 7 to GEO No 57/2019 on the Administrative Code.

³⁸⁸ According to Article 51(1) of Annex No 7 to GEO No 57/2019 on the Administrative Code.

³⁸⁹ According to Article 51(4) of Annex No 7 to GEO No 57/2019 on the Administrative Code.

³⁹⁰ According to Article 51(5) of Annex No 7 to GEO No 57/2019 on the Administrative Code.

In the case of HLCS, the administrative-disciplinary procedure is conducted by a dedicated committee set up at a national level. The discipline committee for HLCS is appointed by decision of the Prime minister, at the proposal of the minister of development, public works and administration and of the president of NACS.³⁹¹ The members of the committee must meet certain eligibility requirements (which include having a good reputation and high professional competence, as well as the necessary skills to appraise public officials)³⁹². The secretariat of the committee is provided by NACS.³⁹³ The current discipline committee for HLCS has been appointed by Decision No 524/2023, issued by the Prime minister. It should be noted that, as opposed to the other dedicated committees for HLCS, in the case of the discipline committee for HLCS the review of the legislation did not reveal any provisions on the maximum term of office of the members appointed to the committee. This means that the members appointed to the discipline committee for HLCS retain this status until their dismissal, replacement or resignation.

The discipline committee is not legally competent to analyze complaints concerning possible violations of the provisions on incompatibilities.³⁹⁴ The law defines certain situations that are deemed incompatible with the status of civil servant (including high-level civil servant).³⁹⁵ The status of civil servant is incompatible with the exercise of any other civil service position or capacity other than that to which he/she has been appointed, and shall also be incompatible with the exercise of public dignity position³⁹⁶ (civil servants may stand as a candidate for an elective office or be appointed to a public dignity position, but in such cases the civil servant's service relationship is suspended during the electoral campaign and, if elected/appointed, until holding the elective office or public dignity position is terminated)³⁹⁷. With certain exceptions,³⁹⁸ civil servants may not hold other positions and may not engage in other paid or unpaid activities within public authorities and institutions, within the office of the dignitary (unless he/she is suspended for the duration of his/her appointment), within autonomous administration companies ("regii autonome"), or as a member of an economic interest group.³⁹⁹ Other incompatibility situations include direct hierarchical relationships between civil servants that are spouses or first-degree relatives⁴⁰⁰, and holding a paid position in the governing bodies of trade unions.⁴⁰¹

³⁹¹ According to Article 494(4) of GEO No 57/2019 on the Administrative Code.

³⁹² Laid down in Article 396(5) of GEO No 57/2019 on the Administrative Code.

³⁹³ According to Article 494(4) of GEO No 57/2019 on the Administrative Code corroborated with Article 396(10) of GEO No 57/2019 on the Administrative Code, and according to Article 4(4) of Annex No 7 to GEO No 57/2019 on the Administrative Code.

³⁹⁴ According to Article 494(1)(a) of GEO No 57/2019 on the Administrative Code.

³⁹⁵ The main legal provisions on incompatibilities regarding civil servants are laid down in Articles 94-98 of Law No 161/2003.

³⁹⁶ According to Article 94(1) of Law No 161/2003.

³⁹⁷ According to Article 97 of Law No 161/2003.

³⁹⁸ Laid down in Article 94(2¹)-(2³) of Law No 161/2003.

³⁹⁹ According to Article 94(2) of Law No 161/2003.

⁴⁰⁰ According to Article 95(1) of Law No 161/2003.

⁴⁰¹ According to Article 415(3) of GEO No 57/2019 on the Administrative Code.

HLCS are subject to the specific incompatibility situation of not being members of a political party.⁴⁰² Other categories of civil servants, with the exception of civil servants holding the position of secretary general of the administrative-territorial units/subdivision⁴⁰³, are allowed to be members of a political parties,⁴⁰⁴ provided that they are not members of the governing bodies of political parties⁴⁰⁵ and that they refrain from publicly expressing or defending the positions of a political party and from favoring a certain political party.⁴⁰⁶ As opposed to the other categories of civil servants, HLCS cannot be members of a political party, under penalty of dismissal.⁴⁰⁷

The discipline committee must forward complaints concerning possible violations of the provisions on incompatibilities regarding civil servants to the authority responsible for ensuring integrity in the exercise in holding public office and civil service position and preventing institutional corruption (i.e., the National Integrity Agency).⁴⁰⁸ When a legal ground of incompatibility has arisen and the civil servant does not take action to put an end to it within 15 calendar days from the date on which the incompatibility occurred, the civil servant is dismissed from the civil service position; in this case, the situation of incompatibility is established and sanctioned under the Law No 176/2010.⁴⁰⁹ To this end, the complaint forwarded by the discipline committee to the National Integrity Agency is assessed by an integrity inspector within the agency. The integrity inspector must invite the person against whom the complaint was lodged to present his/her opinion on the complaint.⁴¹⁰ If, after the invited person has presented his/her opinion orally or in writing or, in the absence of such opinion, after 15 days of acknowledgement of receipt of the information by the person being assessed, the integrity inspector still considers that there are indications of an incompatibility, he/she draws up an assessment report to that effect, which includes the assessment of the elements of incompatibility and his/her conclusions.⁴¹¹ The assessment report is sent within 5 days of its completion to the person who was the subject of the assessment and, where appropriate, to the criminal prosecution and disciplinary bodies.⁴¹² The person who was the subject of the assessment may file an appeal against the assessment report the administrative court of law.⁴¹³ If no appeal is filed against the incompatibility assessment report, then the National Integrity Agency refers the matter to the competent bodies for the initiation of disciplinary proceedings; where appropriate, the Agency refers the matter to the administrative court of law within 6 months, in order to annul the acts issued, adopted or drawn up in breach

⁴⁰² According to Article 98(3) of Law No 161/2003.

⁴⁰³ According to Article 242(4) of GEO No 57/2019 on the Administrative Code, civil servants holding a position of secretary-general of the administrative-territorial units/subdivision cannot be members of a political party, under penalty of dismissal.

⁴⁰⁴ According to Article 436(2) of GEO No 57/2019 on the Administrative Code and to Article 98(1) of Law No 161/2003.

⁴⁰⁵ According to Article 98(2) of Law No 161/2003.

⁴⁰⁶ According to Article 29 of GEO No 57/2019 on the Administrative Code and Article 98(2) of Law No 161/2003.

⁴⁰⁷ According to Article 98(3) of Law No 161/2003.

⁴⁰⁸ According to Article 494(1)(c) of GEO No 57/2019 on the Administrative Code.

⁴⁰⁹ According to Article 520(b) of GEO No 57/2019 on the Administrative Code.

⁴¹⁰ According to Article 20(1) of Law No 176/2010.

⁴¹¹ According to Article 21(1) and (3) of Law No 176/2010.

⁴¹² According to Article 21(4) of Law No 176/2010.

⁴¹³ According to Article 22(1) of Law No 176/2010.

of the legal provisions on incompatibilities.⁴¹⁴ The National Integrity Agency submits the assessment report concerning civil servants to the discipline committee which proposes to the authority provided for by law the application of a sanction in accordance with the law⁴¹⁵. In the absence of any special provision, it may be assumed that the assessment report on the incompatibility situation concerning a high-level civil servant is submitted to the discipline committee for HLCS. A civil servant in respect of whom the existence of an incompatibility has been established, is disqualified from the right to hold a civil service or public dignity position, except for electoral ones, for a period of 3 years from the date of release or dismissal from the respective civil service position.⁴¹⁶

NACS centralizes and processes the information on the compliance with the rules of conduct by the civil servants and on implementation of administrative-disciplinary procedures within public authorities and institutions.⁴¹⁷ Based on that information, NACS draws up an annual report on monitoring the implementation of principles and standards of conduct and administrative-disciplinary procedures in public authorities and institutions, which is published on the agency's website.⁴¹⁸ For execution-level and management-level civil servants, the public authorities and institutions are required to report to the NACS, by their ethics counsellors filling the required information⁴¹⁹ in the IT application managed by the agency.⁴²⁰ For HLCS, the information on the compliance with the rules of conduct and on implementation of administrative-disciplinary procedures is filled in by the ethics counsellor within NACS.⁴²¹ It should be noted that the law also requires ethics counsellors in each public authority/institution to draw up an annual report on compliance with the rules of conduct within that public authority/institution, which is published on its website⁴²² (this report includes, if applicable, information on the HLCS employed by that public authority/institution).

Termination of service

The law does not lay down special provisions regarding the termination of service relationships with HLCS, with the exception of the particular case of release from the civil service positions due to the unjustified refusal to accept the mobility. The termination of the service relationship of HLCS, as for all civil servants, may take place (i) de jure, (ii) by written agreement between parties, (iii) by release from the civil service position, (iv) by dismissal from the civil service position, and (v) by resignation.⁴²³ The termination of the service relationship of civil servants is effected by administrative act of the person who

⁴¹⁴ According to Article 22(3) of Law No 176/2010.

⁴¹⁵ According to Article 26(1)(j) of Law No 176/2010.

⁴¹⁶ According to Article 25(2) of Law No 176/2010.

⁴¹⁷ According to Article 29(1) of GD No 931/2021.

⁴¹⁸ According to Article 29(2) of GD No 931/2021.

⁴¹⁹ In compliance with the Methodology for filling and submitting information on the implementation of the principles applicable to the professional conduct of civil servants and the norms/standards of conduct of civil servants, as well as the administrative-disciplinary procedures applicable to civil servants within public authorities and institutions, approved by Order No 26/2022, issued by NACS.

⁴²⁰ According to Article 25 of GD No 931/2021.

⁴²¹ According to Article 5(2) of the methodology approved by Order No 26/2022, issued by NACS.

⁴²² According to Article 25(3) of GD No 931/2021.

⁴²³ According to Article 516 of GEO No 57/2019 on the Administrative Code.

has the legal power of appointment to the civil service position. Thus, the service relationship of HLCS is effected by decision of the Prime minister.⁴²⁴

The de jure termination of the service relationship of civil servants covers a range of situations, most of which are related to the civil servant not fulfilling one of the general requirements for holding a civil service position.⁴²⁵ The de jure termination situations include, inter alia, the civil servant (i) dying, (ii) losing the Romanian citizenship, (iii) not having any more the domicile in Romania, (iv) not having any more full capacity of exercising his/her legal rights, (v) having his/her capacity for work irreversibly impaired in the case of first or second degree of invalidity, (vi) being convicted of certain crimes (e.g., crimes against humanity, against the state or against authority, crimes of corruption or offenses in the line of duty), or (vii) being barred from exercising the right to hold a civil service position or from exercising the profession or activity in the execution of which he/she committed a crime. The service relationship is also de jure terminated on the date of expiry of the term during which the civil servant has held a civil service position on a fixed-term basis (as an exception, the civil servant appointed to fill a temporarily vacant position may be appointed to hold that position indeterminately if the temporarily vacant position becomes in the meantime vacant). The termination of the service relationship is acknowledged even in the de jure termination situations by administrative act issued by person who has the legal power of appointment to the civil service position.⁴²⁶

The Administrative Code does not elaborate on the procedure for termination of the service relationship by agreement between the parties, but the termination is effected by administrative act of the person who has the legal power of appointment to the civil service position. In the absence of any provision to the contrary, it can be assumed that, in theory, the request to terminate the service relationship by agreement may come from either of the two parties (i.e., the public authority/institution or the civil servant). In reality, the review of the Prime minister's decisions by which the service relationship of HLCS was terminated by agreement between the parties, issued after GEO No 57/2019 on the Administrative Code entered into force, has revealed that all five decisions were based on the request of the high-level civil servant concerned.

Civil servants may be released from the civil service positions they hold for reasons that are attributable to them or not. The Administrative Code only specifies the reasons that are not attributable to the civil servants concerned, but this implies that the other reasons are deemed attributable to them. The latter reasons for termination comprise (i) professional incompetence (i.e., when the civil servant has received the "unsatisfactory" grade following the annual individual professional performance appraisal, or when the entry-level (debutant) has received the "inadequate" grade following the activity appraisal conducted at the end of the probation period)⁴²⁷, and (ii) the unjustified refusal of a high-level civil servant to accept the mobility.⁴²⁸ Reasons that are not attributable to the civil servant include, inter alia, (i) the public authority/institution ceasing its activity in accordance with the law, if its responsibilities and staff

⁴²⁴ According to Article 397 of GEO No 57/2019 on the Administrative Code.

⁴²⁵ The situations of de jure termination of the service relationship are listed in Article 517(1) of GEO No 57/2019 on the Administrative Code.

⁴²⁶ According to Article 517(3) of GEO No 57/2019 on the Administrative Code.

⁴²⁷ According to Article 519(1)(e) of GEO No 57/2019 on the Administrative Code.

⁴²⁸ According to Article 519(1)(h) of GEO No 57/2019 on the Administrative Code.

have not been taken over by another public authority/institution,⁴²⁹ (ii) the public authority/institution moving to another locality and the civil servant not agreeing to follow it,⁴³⁰ (iii) the public authority/institution reducing its staff as a result of the reorganization of its activities by reducing the position held by the civil servant,⁴³¹ or (iv) the civil servant not meeting any more the requirements regarding the educational qualifications and/or seniority in the specialized field required by law for holding the civil service position, and/or regarding a certain training or specialization and/or a certain permit or authorization.⁴³² Civil servants that have been released from civil service positions they hold, for any reason other than professional incompetence, enter into the reserve corps of civil servants.⁴³³

Civil servants may be dismissed from the civil service positions they hold, as a disciplinary sanction imposed for reasons attributable to them. A civil servant is dismissed from the civil service (i) if he/she has committed a disciplinary infringement with serious consequences, or (ii) when a legal ground of incompatibility has arisen and the civil servant does not take action to put an end to it within 15 calendar days from the date on which the incompatibility occurred (as presented in point 0 of this deliverable).⁴³⁴

The service relationship of civil servants may be terminated by resignation submitted by the civil servant concerned. The resignation must be notified in writing to the person who has the legal power of appointment to the civil service position. The resignation does not need to be motivated⁴³⁵ and comes into effect 30 calendar days after registration.⁴³⁶ The resignation may be rescinded only by agreement of the parties, within the 30 calendar days term after registration.⁴³⁷

Technical input on improving the clarity of the HRM regulatory framework for HLCS

1. According to Art. 21 para. (8) letter b) of Annex no. 8 to Government Emergency Ordinance (GEO) no. 57/2019 regarding the Administrative Code, for high-level civil service positions, the verification of specific competencies is carried out by the authority or public institution in which the vacant or temporarily vacant civil service position is located, when modifying the service relationship of high-level civil servants, inter alia, under the conditions provided in Art. 506 para. (10) and (11) of GEO no. 57/2019 regarding the Administrative Code, which refer to transfer.

In fact, according to Art. 506 para. (10) of GEO no. 57/2019 regarding the Administrative Code, in the case of high-level civil servants, transfer may be ordered only to a management or executive civil service position.

⁴²⁹ According to Article 519(1)(a) of GEO No 57/2019 on the Administrative Code.

⁴³⁰ According to Article 519(1)(b) of GEO No 57/2019 on the Administrative Code.

⁴³¹ According to Article 519(1)(c) of GEO No 57/2019 on the Administrative Code.

⁴³² According to Article 519(1)(f) of GEO No 57/2019 on the Administrative Code.

⁴³³ According to Article 525(1) of GEO No 57/2019 on the Administrative Code.

⁴³⁴ According to Article 520 of GEO No 57/2019 on the Administrative Code.

⁴³⁵ According to Article 521 of GEO No 57/2019 on the Administrative Code.

⁴³⁶ According to Article 522 of GEO No 57/2019 on the Administrative Code.

⁴³⁷ According to Article 523 of GEO No 57/2019 on the Administrative Code.

Therefore, in the case of transfer of a high-level civil servant, there is no question of verifying the specific competencies for high-level civil service positions (the premise of Art. 21 para. (8) letter b) of Annex no. 8 to GEO no. 57/2019 regarding the Administrative Code), because the transfer of a high-level civil servant can only be ordered to a management or executive civil service position, not to a high-level civil service position.

2. According to Art. 2 para. (2) of the instructions approved by Order no. 603/2024, issued by NACS, the public authorities and institutions that organize competitions for filling vacant management and executive civil service positions, as well as vacant high-level civil service positions, set out Art. 385 para. (1) and (2), with the exception of those benefiting from special statutes under the law, of GEO no. 57/2019, as subsequently amended and supplemented, must notify the Agency according to the provisions of Art. 69 of Annex no. 10 to GEO no. 57/2019 regarding the Administrative Code, at least 10 working days before the date of publishing the competition notice (the call for competition).

According to Art. 69 of Annex no. 10 to GEO no. 57/2019 regarding the Administrative Code, public authorities and institutions must notify the NACS with regard to the organization and conduct of this stage at least 10 working days before the date of publishing the competition notice or, as the case may be, to request NACS to organize it.

In fact, the organization of the competition for the position (i.e., the selection stage) for vacant high-level civil service positions is not carried out by the public authorities/institutions, but by the competition commission for high-level civil servants, and the competition notice for these positions is not published by the public authorities/institutions (as in the case of executive or management civil service positions), but by NACS.

Therefore, the provision in Art. 2 para. (2) of the instructions approved by Order no. 603/2024, issued by NACS, is applicable only in relation to the organization of competitions for filling vacant management and executive civil service positions.

3. According to Art. 6 letter a) of the instructions approved by Order no. 603/2024, issued by NACS, the information for competitions for filling vacant management or executive civil service positions, as well as for vacant high-level civil service positions, submitted for the competition notice and entered in the IT tool provided by ANFP, includes also the name of the public authority or institution organizing the selection stage.

According to Art. 70 para. (1) letter a) of Annex no. 10 to GEO no. 57/2019 regarding the Administrative Code, the notification regarding the organization of the selection stage, submitted to NACS, also includes information regarding the name of the public authority or institution organizing the selection stage or, as the case may be, the name of the public authority or institution in which the civil service positions for which the competition is organized are found.

In fact, the organization of the competition for the position (i.e., the selection stage) for vacant high-level civil service positions is not carried out by the public authorities/institutions, but by the competition commission for high-level civil servants.

Therefore, it must be clarified whether in Art. 6 letter a) of the instructions approved by Order no. 603/2024, issued by NACS, a clarification similar to that in Art. 70 para. (1) letter a) of Annex no. 10 to GEO no. 57/2019 regarding the Administrative Code should not be added: the name of the public

authority or institution organizing the selection stage or, as the case may be, the name of the public authority or institution in which the civil service positions for which the competition is organized are found.

4. In Art. 186 para. (3) of Annex no. 10 to GEO no. 57/2019 regarding the Administrative Code, it is provided, in the context of regulating the promotion competition for filling a management civil service position, that the public authority or institution organizing the competition or, as the case may be, the competition commission for high-level civil servants establishes the way in which the specific competencies are demonstrated, in compliance with the provisions of Art. 21 of Annex no. 8 to the Administrative Code.

Following the amendments made by GEO no. 123/2023 to Art. 394 para. (2), Art. 477 para. (2), Art. 482 and Art. 483 of GEO no. 57/2019 regarding the Administrative Code, the promotion competition as a method of filling a high-level civil service position corresponding was eliminated.

Therefore, it must be clarified the rationale for including the reference to the competition commission for high-level civil servants within a legal provision that regulates the promotion competition for filling a management civil service position.

5. According to Art. 476 para. (2) letter c) of GEO no. 57/2019 regarding the Administrative Code, promotion is a way of career development by, inter alia, filling a high-level civil service position.

Following the amendments made by GEO no. 123/2023 to Art. 394 para. (2), Art. 477 para. (2), Art. 482 and Art. 483 of GEO no. 57/2019 regarding the Administrative Code, the promotion competition as a method of filling a high-level civil service position was eliminated.

Thus, currently, according to Art. 394 para. (2) of GEO no. 57/2019 regarding the Administrative Code, a high-level civil service position is filled by way of (i) a competition organized under the conditions provided in Art. 467, (ii) mobility, under the conditions provided in Art. 503, (iii) holding it on a temporary basis, under the conditions provided in Art. 509, and (iv) through reassignment from the reserve corps of civil servants.

Therefore, the opportunity of eliminating from Art. 476 para. (2) letter c) of GEO no. 57/2019 regarding the Administrative Code the reference to filling a high-level civil service positions by way of promotion must be analyzed.

6. Order no. 193/2020, issued by NACS, for the approval of the Procedure for the reassignment of civil servants and the arrangements for conducting the professional testing for reassignment includes a reference to the positions of prefect and deputy prefect as high-level civil service positions, but it does not regulate the procedure for reassignment for the positions of secretary-general of the prefect's institution and of state inspector general.

Given that, according to the current version of GEO no. 57/2019 regarding the Administrative Code, the positions of prefect and deputy prefect are no longer considered high-level civil service positions, it is necessary to revise Order no. 193/2020, issued by NACS , on the one hand, in the sense of eliminating references to the positions of prefect and deputy prefect, and, on the other hand, in the sense of regulating the reassignment procedure for the positions of secretary-general of the prefect's

institution and of state inspector general (high-level civil service positions that were established after the approval of ANFP Order no. 193/2020).

7. According to Art. 2 para. (5) of the procedure approved by Order no. 193/2020, issued by NACS, the civil servant must meet the education requirements, seniority requirements, and specific requirements set out in the job description in order to fill the civil service position in which he/she is to be reassignment.

It must be clarified whether the reference to the specific requirements is intended to actually target the specific competencies set out in the job description.

If so, it is recommended to amend Order no. 193/2020, issued by NACS, to include an express reference to specific competencies. Also, in this situation, the opportunity should be analyzed of supplementing the provisions of Art. 21 para. (8) letter b) of Annex no. 8 to the Administrative Code, in the sense of regulating the responsibility of verification of the specific competencies, by the authority or public institution in which the vacant or temporarily vacant civil service position is located, when filling, through reassignment, a high-level civil service position.

8. According to Art. 3 para. (2) letter b) of the annex to Order no. 193/2020, issued by NACS, the request to fill a high-level civil service position through reassignment, submitted to NACS, must include, inter alia, the civil service position for which filling through reassignment is requested, identified by name, category, class and, where applicable, professional grade.

Given that the cited legal provision refers only to high-level civil service positions, and the notion of professional grade is specific only to executive civil service positions, including the reference to professional grade in Art. 3 para. (2) letter b) of the annex to Order no. 193/2020, issued by NACS, is not justified, even accompanied by the clarification “where applicable”, because in the case of a high-level civil service position there can never be a case of professional grade.

9. According to Art. 526 para. (7) of GEO no. 57/2019 regarding the Administrative Code, reassignment to a high-level civil service position is carried out by decision of the Prime Minister, according to the competence of appointment, at the proposal of the heads of the public authorities or institutions in which the vacant or temporarily vacant civil service position is located. Also, according to Art. 15 para. (1) of the annex to Order no. 193/2020, issued by NACS, the head of the public authority or institution in which the high-level civil service position is found submits to the person who has the competence of appointment to the civil service position the proposal for reassignment of the high-level civil servant declared admitted following the professional testing carried out for the purpose of reassignment.

According to Art. 3 para. (1) letter a) of the annex to Order no. 193/2020, issued by NACS, the request to fill a civil service position of prefect or deputy prefect (which, currently, are no longer qualified as high-level civil service positions), is submitted by the minister who coordinates the prefect’s institution, while according to Art. 3 para. (1) letter d) of the annex to Order no. 193/2020, issued by NACS, the person who requested the filling of the vacant or temporarily vacant high-level civil service position through reassignment submits the proposal for reassignment of the selected high-level civil servant.

Assuming that, in the case of the civil service position of secretary-general of the prefect’s institution, the request to fill by redistribution is also transmitted by the minister who coordinates the prefect’s institution (i.e. the Minister of Internal Affairs), the provision of Art. 3 para. (1) letter d) of the annex

to Order no. 193/2020, issued by NACS, is not correlated with Art. 526 para. (7) of GEO no. 57/2019 regarding the Administrative Code and with Art. 15 para. (1) of the annex to Order no. 193/2020, issued by NACS, because the Minister of Internal Affairs is not the head of the prefect's institution, the prefect is.

10. According to Art. 398 para. (1) and Art. 398¹ para. (1) of GEO no. 57/2019 regarding the Administrative Code, the Prime Minister appoints, by decision, the commission for evaluating the individual professional performance of high-level civil servants, at the proposal of the Minister of Development, Public Works and Administration.

In fact, according to the preamble of the Prime Minister's Decision no. 523/2023 regarding the appointment of the members of the Commission for evaluating the individual professional performance of high-level civil servants, the proposal was formulated by the Minister of Development, Public Works and Administration and by the President of the National Agency of Civil Servants.

Therefore, the correlation of the mention in the preamble of the Prime Minister's Decision no. 523/2023 with the provisions of Art. 398 para. (1) and Art. 398¹ para. (1) of GEO no. 57/2019 regarding the Administrative Code must be clarified.

11. According to Art. 216 para. (3) of GEO no. 57/2019 regarding the Administrative Code, mobility in the public interest of high-level civil servants may be ordered individually, by administrative act of the person who has the competence of appointment, or on the basis of a mobility plan approved by Government decision.

The analysis of the legislation did not reveal the existence of legal provisions regarding the content and manner of elaboration and approval of a mobility plan.

Therefore, the opportunity of remedying this legislative gap must be analyzed.

12. On the one hand, according to Art. 31 para. (1²) of Annex no. 8 to GEO no. 57/2019 regarding the Administrative Code, the Secretary-General of the Government prepares the standardized job description for each governmental inspector civil service position; according to the model in Art. 31 para. (2) point III of Annex no. 8 to GEO no. 57/2019 regarding the Administrative Code, the standardized job description also includes the duties of the position.

On the other hand, according to Art. 222 para. (3) of Annex no. 10 to GEO no. 57/2019 regarding the Administrative Code, the duties of governmental inspectors are set out individually, on the basis of the general activities provided in Art. 222 para. (1) and (2) of Annex no. 10 to GEO no. 57/2019 regarding the Administrative Code, by decision of the Prime Minister, at the proposal of the Secretary-General of the Government or of the ministers.

Therefore, the correlation between the cited legal provisions must be analyzed.

13. According to Art. 507 para. (5) of GEO No. 57/2019 on the Administrative Code, the permanent redeployment high-level civil servants may be ordered to a vacant management or executive civil service position within the public authority or institution in which they work, by the person who has the legal competence to appoint to the civil service position, at the reasoned request of the high-level civil servant and with the approval of the head of the public authority or institution, if the civil servant

meets the requirements for filling the civil service position to which the redeployment is ordered, according to the job description.

The legal provision cited does not refer to the verification of specific competencies related to the civil service position occupied by permanent redeployment.

The opportunity to regulate the obligation to verify the specific competencies in the case of permanent redeployment should be analyzed (given that, for example, the verification of the specific competencies is regulated in the case of transfer, which, in the case of high-level civil servants, can only be ordered to executive or management civil service positions).

14. It is recommended that Government Decision No. 832/2007 be revised to replace references to Law No. 188/1999 with references to GEO No. 57/2019 on the Administrative Code, especially considering that not all references to Law No. 188/1999 have a corresponding reference in GEO No. 57/2019 on the Administrative Code.

For example, the requirement set out in Art. 395 para. (2) of GEO No. 57/2019 on the Administrative Code, according to the specialized training programs for filling a high-level civil service position, organized by the National Institute of Administration, may only be attended by persons who are civil servants at the time the training programs start or who have been civil servants for at least one year, has no counterpart in Law No. 188/1999 and, as such, is not included among the conditions set out in Government Decision No. 832/2007.

15. According to Art 12 para. (1) letter (a) of Government Decision No. 1066/2008, priorities for organizing and conducting training programs for high-level civil servants are approved by Government decision, at the proposal of the NACS, based on information provided, inter alia, by the Ministry of Internal Affairs and Administrative Reform, for prefects and deputy prefects.

Given that prefects and deputy prefects are no longer classified as high-level civil servants, but new categories of high-level civil servants have been established by law (i.e., the secretary general of the prefect's institution and state inspector general), it is necessary to revise Government Decision No. 1066/2008 in order to align it to the new legal framework on high-level civil servants.

Annex 3. The senior civil service reform in France⁴³⁸

Context of the 2021 Senior Civil Service Reform

In 2020, the French government began considering the development of an ambitious reform to transform the State in general and particularly senior civil service (SCS), as one of its main priorities.⁴³⁹ Since 1945, no efforts had been carried out to reform SCS in the country.⁴⁴⁰ Four main reasons⁴⁴¹ motivated the government to design a senior civil service reform:

- (i) **Poor interest in civil service exams**, mainly among younger generations and highly skilled profiles for senior managerial roles. For example, according to official data, while the fraction of public employment on total employment was 22 percent in 1989, it only represented 19.8 percent in 2021.⁴⁴²
- (ii) **Inefficient provision of public services**, which became more evident during the Covid-19 pandemic, mainly due to the priority assigned by the previous civil service system to analytical functions relatively to operational functions.
- (iii) **Excessive rigidity in previous senior civil service**, with no evaluations and therefore no consequences for the careers of civil servants. Before the reform, senior executives were self-managed, and careers were pre-determined. Political power had very little influence on senior civil service and therefore on the impact on public services.
- (iv) **Little mobility across institutions**, which was hindering public servants from working in other topics and with other teams or learning from different work environments. Before the reform, candidates had very little decision-making power to select a ministry or to change ministries.

⁴³⁸ This case study was prepared based on desk research of official documents and administrative data, and on a series of seven interviews, held between December 2024 and January 2025, with current and former French officials responsible for the design and implementation of the senior civil service reform in France. Participants to the interviews included current and former officials from the ministry responsible for the civil service, the Ministry of National Education and Youth, the INSP, the Office of the President of France, the DITP, and the DIESE.

⁴³⁹ Website of the civil service. See <https://www.modernisation.gouv.fr/>.

⁴⁴⁰ Website of the senior civil service reform. See <https://www.transformation.gouv.fr/ministre/actualite/reforme-de-la-haute-fonction-publique#:~:text=Une%20réforme%20pilotee%20par%20la,et%20dirigeant%20de%20l'État>

⁴⁴¹ Interviews with former French authorities in charge of the design of the reform.

⁴⁴² DGAFP. 2023. *Faits et chiffres* (2023). Rapport annuel sur l'état de la fonction publique. Edition 2023. Available at: <https://www.vie-publique.fr/files/rapport/pdf/292479.pdf>

First steps in the implementation of the 2021 Reform

In April 2021, President Macron launched an ambitious reform to transform human resources management for senior executives, including the processes of recruitment, training, and career management.⁴⁴³ Three immediate measures followed this decision:⁴⁴⁴

- (i) **The development of a legal framework**, including (a) the Management Agreement of April 8, 2021, to state the main principles of the reform, including the expectations of senior civil servants, (b) the Order of June 2, 2021, which states the provisions -general and relative- regarding the reform of SCS,⁴⁴⁵ and (c) the Decree of December 1, 2021, which established the special status of the corps of state administrators, creates such corps, and defines the statutory rules of these corps.⁴⁴⁶
- (ii) **A consultation process**, which took place between May 27 and June 18, 2021, and included employers and senior executives with the purpose of gathering their expectations. Approximately 7,300 people participated.⁴⁴⁷ The recommendations include “encouraging mobility, by strengthening professional and extra-professional support, improving the transparency of job offers, creating standard career paths and better recognition and mobility”.⁴⁴⁸
- (iii) **The creation of DIESE**. In 2022, the French government created the Interministerial Delegation to Senior Civil Service (*Délégation Interministérielle à l'Encadrement Supérieur de l'État*, or DIESE) to lead the development and piloting of the new human resources policy for SCS, or 25,000 people⁴⁴⁹ and, therefore, to improve the use of human resources in the public administration (Box 7). The main goal of this decision was to create common rules for all ministries and, therefore, to create in practice the conditions for the professional development and mobility of senior civil servants.⁴⁵⁰ Before the reform, every ministry had its own rules with very limited evaluation or accountability. Therefore, DIESE makes sure to provide the system with coherence across institutions and change the paradigm in practice.⁴⁵¹

⁴⁴³ Website of the senior civil service reform. See <https://www.transformation.gouv.fr/ministre/actualite/reforme-de-la-haute-fonction-publique#:~:text=Une%20réforme%20pilotée%20par%20la,et%20dirigeant%20de%20l'État>

⁴⁴⁴ Website of the senior civil service reform. See <https://www.transformation.gouv.fr/ministre/actualite/reforme-de-la-haute-fonction-publique#:~:text=Une%20réforme%20pilotée%20par%20la,et%20dirigeant%20de%20l'État>

⁴⁴⁵ *Ordonnance* N° 2021-702.

⁴⁴⁶ *Décret* N° 2021-1550.

⁴⁴⁷ See <https://www.transformation.gouv.fr/ministre/actualite/reforme-de-la-haute-fonction-publique#:~:text=Une%20réforme%20pilotée%20par%20la,et%20dirigeant%20de%20l'État>

⁴⁴⁸ *Ibidem*.

⁴⁴⁹ Website of DIESE. See <https://www.diese.gouv.fr/la-diese-cadre-anime-pilote-et-deploie-une-offre-de-service-destination-des-cadres-superieurs-et>

⁴⁵⁰ Interviews with former French authorities in charge of the design of the reform.

⁴⁵¹ Website of DIESE. See <https://www.diese.gouv.fr/la-diese-cadre-anime-pilote-et-deploie-une-offre-de-service-destination-des-cadres-superieurs-et>

Box 7. The benefits of the legal nature of an inter-ministerial delegation

One of the cornerstones of the 2021 Reform has been the creation, by decree, of the Interministerial *Delegation* to Senior Civil Service, or DIESE.⁴⁵² Unlike other interministerial institutions in France that are part of the reform process, such as the Interministerial Directorate for Public Transformation (*Direction interministérielle de la transformation publique*, or DITP), DIESE is a delegation, not a directorate (*direction*). The main difference between a delegation and a directorate is that an interministerial delegation is dissociated from a particular ministry or directorate.⁴⁵³ Instead, it depends upon the Office of the Prime Minister.

Because the implementation of the reform required an institutional structure that could support this effort in practice, given the existing high level of compartmentalization at that time, the French government decided to make of DIESE a delegation.⁴⁵⁴ Had it been a directorate, it would have had to depend upon a ministry or upon the General Directorate for Administration and Civil Service (*Direction générale de l'administration et de la fonction publique*, or DGAFP). In that case, the decision-making of human resources management of SCS would have depended on a different structure and would have lost the flexibility and efficiency that the administrative nature of a delegation entails.

Finally, an interministerial delegation typically has one specific mission for the duration of the mission and, because it does not depend upon a specific ministry, it is expected to coordinate government action transversally. In this case, the French government wanted to strengthen the efforts of improving SCS specifically. DIESE is currently headed by an interministerial delegate, who has the administrative rank of a central administration director.

Source: European Commission. (n.d.). *France country overview*. Reform Support. Available at: https://reform-support.ec.europa.eu/our-projects/country-factsheets/france_en

Objectives of the 2021 reform

Considering the previous diagnosis, the French government began the design process of the reform. Eighteen months later, in 2023, the implementation of the SCS reform began. The main goal of this reform was to build a meritocracy.⁴⁵⁵ The three specific goals of the reform are:⁴⁵⁶

- (i) **To revitalize SCS careers**, by (a) creating a new corps of state administrators and, therefore a common identity, (b) breaking down barriers and fostering mobility across professions, areas of

⁴⁵² *Décret* N° 2021-1775.

⁴⁵³ Information provided during the interviews with French authorities.

⁴⁵⁴ DIESE. 2021. Rapport de la commission présidée par Jean Bassères. Préfiguration de la Délégation interministérielle à l'encadrement supérieur de l'État. Available at: <https://www.diese.gouv.fr/sites/default/files/2022-03/Rapport%20DIESE.pdf>

⁴⁵⁵ Information provided by the former Minister of Civil Service, who oversaw the design of the reform.

⁴⁵⁶ Portal of civil service. See <https://www.modernisation.gouv.fr/>.

action, and institutions, (c) providing state administrators with multiple experiences in different types of functions, territories, and services, and (d) offering transparent and adequate remuneration.

(ii) To rebuild initial selection and training, by (a) prioritizing further certain topics such as the green transition within the contents of entrance exams, (b) encouraging internal promotions equally, (c) removing the exit classifications, (d) developing a competency framework, and (e) improving skills match between job posts and candidates.

(iii) To provide senior civil servants with individual support, by (a) developing a network of senior management delegates within each ministry, (b) developing guidelines to improve inter-ministerial management, (c) developing a competency framework with a focus on leadership, (d) providing tools about careers in SCS, (e) establishing evaluation processes, (f) providing senior civil servants with access to professional development opportunities, and (g) offering training programs.

The three main stages of the reform

In addition to the first steps in the implementation of the Reform previously mentioned, the reform can be conceived as the execution of three stages:

- (i) **The creation of a single body of senior executives.** The goal in terms of the composition of ES was to define and create a single group of senior executives that includes the “jobs, bodies, grades, and functions that constitute the senior management of the State, to provide specific provisions in terms of training, evaluation, and career paths”⁴⁵⁷ with “a common identity”⁴⁵⁸. This means that SCS refers to both public officials and contract agents, even though contract agents are not public officials with a function. Within ES, state administrators (“*administrateurs de l’État*”) are one of the bodies that integrate SCS, which are typically trained at the National Institute of Public Service (*Institut National de Service Publique*, or INSP).
- (ii) **The development of DIESE.** Since its legal creation, DIESE is responsible for decompartmentalizing professional universes within civil service, developing a common managerial culture and providing SCS with support and guidance.⁴⁵⁹ It also defines the strategic guidelines for initial and continuous training, oversees INSP, ensures the professionalization and transparency of recruitment procedures for SCS, organizes hearing committees for the recruitment of SCS, and develops comparative analysis between the public service and private sector.⁴⁶⁰ The main goal is to foster mobility within the SCS system, as a result of the consultation process (Figure 13).

⁴⁵⁷ Website of perimeter of ES. The list of types of corps can be found in the *Questions / Réponses relatives au corps des administrateurs de l’État*.

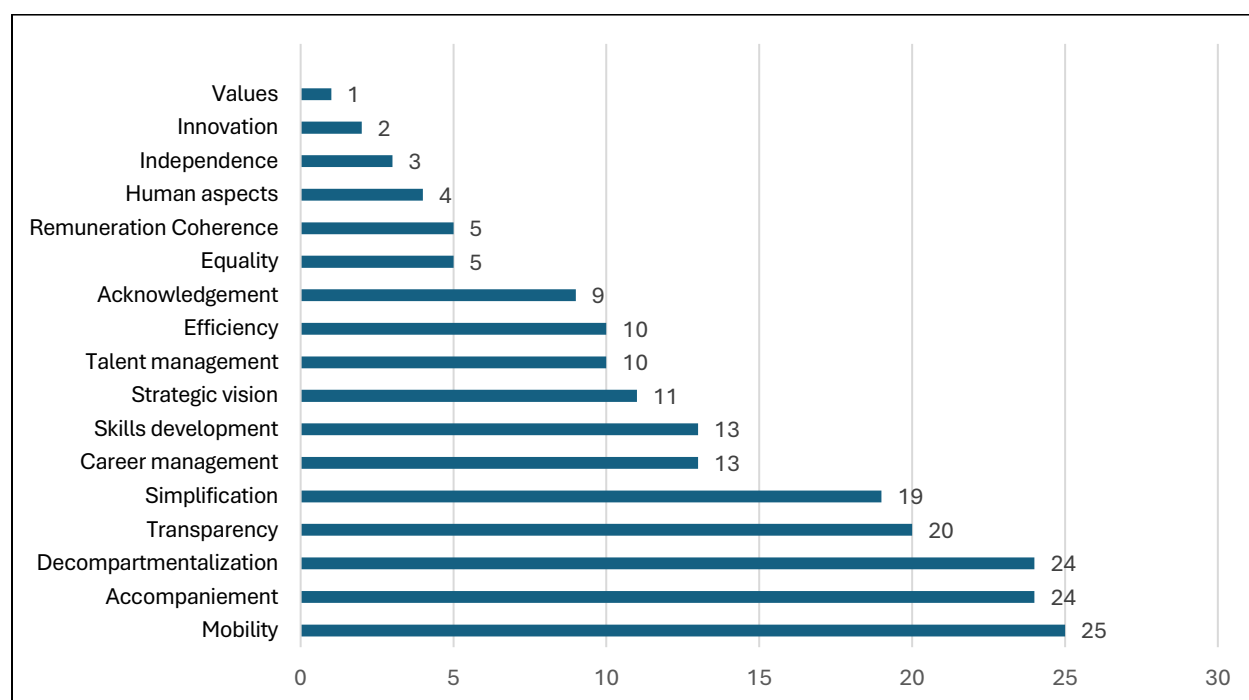
⁴⁵⁸ *Questions / Réponses relatives au corps des administrateurs de l’État*.

⁴⁵⁹ Website of DIESE. See <https://www.diese.gouv.fr/la-diese-cadre-anime-pilote-et-deploie-une-offre-de-service-destination-des-cadres-superieurs-et>

⁴⁶⁰ *Décret* N° 2021-1775.

(iii) **The creation of INSP in replacement of ENA.** Previously, the well-known National School of Administration (*École Nationale d'Administration*, ENA) was responsible for organizing the entrance exams (“*concours*”). However, the previous system faced two main problems: first, ENA was not part of a whole system of SCS management and, second, the results of entrance exams used to classify students definitively without the possibility of matching students’ and employers’ needs. Therefore, INSP was created as part of a global system of SCS management and with an aim to create a common pedagogical base. INSP is responsible for the training of state administrators only (FPE).

Figure 13. Expectations of SCS vis-à-vis the role of DIESE (% of responses)



Source: DIESE. 2021. *Rapport de la commission présidée par Jean Bassères*. According to the document, the total number of respondents was 2,832. Note: an additional category « Other » obtained 11 percent of responses.

A new senior civil service system in France

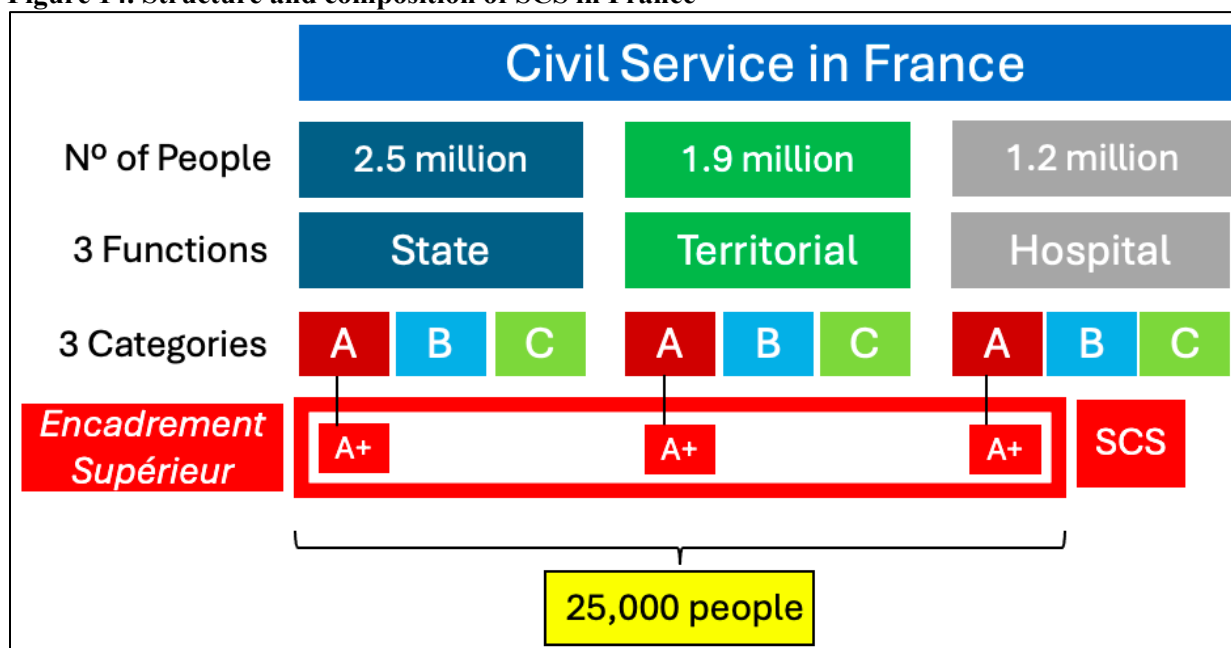
Therefore, the SCS reform in France has involved:

- (i) **A new name and definition.** Before the reform, senior civil service in France was known as “*Haute Fonction Publique*”. This name, however, entailed a “pejorative” connotation of elitism in opposition to a meritocracy. As part of the reform process, the objective was to reinforce the notion that, with the right preparation and career, any person can access this type of civil service. With the reform, the new name of senior civil service is “*Encadrement Supérieur*” (ES), which literally

translates as senior management.⁴⁶¹ The reform did not only mean a change in the name; it also meant changing the definition and composition of SCS, as mentioned previously.

- (ii) **A renewed scope.** With this new definition, the perimeter of SCS also changes. Within Category A, regardless of the type of structure, another category known as A+, which is only observed and has no legal nature, refers to highly trained corps (Figure 14). Thus, with the reform, SCS includes individuals in Category A+, individuals with positions of responsibility regardless of their contract status, and people who, given their competences, are susceptible of joining SCS and therefore eligible to receive specific training. This new scope includes 25,000 people.⁴⁶²

Figure 14. Structure and composition of SCS in France



Source: Author's elaboration based on interviews with former French authorities in charge of the design of the reform and the official website of Civil Service in France.

A typology of Senior Civil Service

Thus, a typology of SCS can be considered both in their position and legal status:

- **ES includes three types of executives based on their position.** ES or Category A+ typically refers to all administration bodies in this level ("*cadres supérieures*"), but it also includes two sub-categories: executives that are named by a minister ("*cadres de direction*"), such as deputy directors or deputy chiefs, and senior executives ("*cadres dirigeants*"), which are appointed by the President during the Council of Ministers. Their functions and roles depend upon their classification (Box 8).

⁴⁶¹ Interviews with former French authorities in charge of the design of the reform.

⁴⁶² Number available at the Website of DIESE. However, please note that according to DIESE, the number is 19,000. The interviews provided different numbers, but the official one on the website of DIESE is 25,000.

- **ES can include SCS with legal status or contractual agents.** Senior civil servants in the strict sense (“*fonctionnaires*”) do not have a contract but a legal status that depends upon a public law regime. INSP candidates are considered paid interns, employed by INSP. On the other hand, contractual agents can have a fixed-term contract (“*contrat de durée déterminée*” or CDD), for a period of three years with the possibility of renewing it for up to six years, or a permanent contract (“*contrat de durée indéterminée*” or CDI) when the contract renewal is beyond six years.⁴⁶³ To become public officials or civil servants in the strict sense, contractual agents must pass a civil service exam.

Box 8. A classification of ES

One of the main goals of the Reform is to clarify the notion of SCS or ES and, therefore, to regroup the “employments, bodies, grades, and functions” that integrate senior management in civil service.⁴⁶⁴ The types of employments included are (i) senior positions whose appointment is left to the decision of the government (prefects, ambassadors, deans, for example), (ii) state management jobs, and (iii) directors of public establishments of the State and agents occupying high-level functions in these establishments. This group of people refers to agents who exercise senior management, supervisory, expert or control functions, agents whose nature of missions and level of responsibility, recruitment, expertise or autonomy allow them to qualify for these jobs.

Thus, the new “perimeter” of ES in France includes specific roles, as well as roles of the previous system that are in the process of extinction. Some of the roles of ES are: state administrators, administrators of the National Institute of Statistics and Economic Studies, state architects and planners, general curators of libraries, heritage conservators, design and management body of the national police, directors of prison services, mining engineers, bridge, water and forestry engineers, veterinary public health inspectors, general inspectors of the National Institute of Statistics and Economic Studies, magistrates of the regional audit chambers, magistrates of the Court of Auditors, magistrates of administrative tribunals and administrative courts of appeal, members of the Council of State, public health medical inspectors, public health inspector pharmacists.

Source: DGAFP. 2023. Le périmètre de l’encadrement supérieur de l’État. Accessible at <https://www.fonction-publique.gouv.fr/etre-agent-public/mon-parcours-professionnel/les-carrieres-dans-lencadrement-superieur-de-letat/le-perimetre-de-lencadrement-superieur-de-letat>

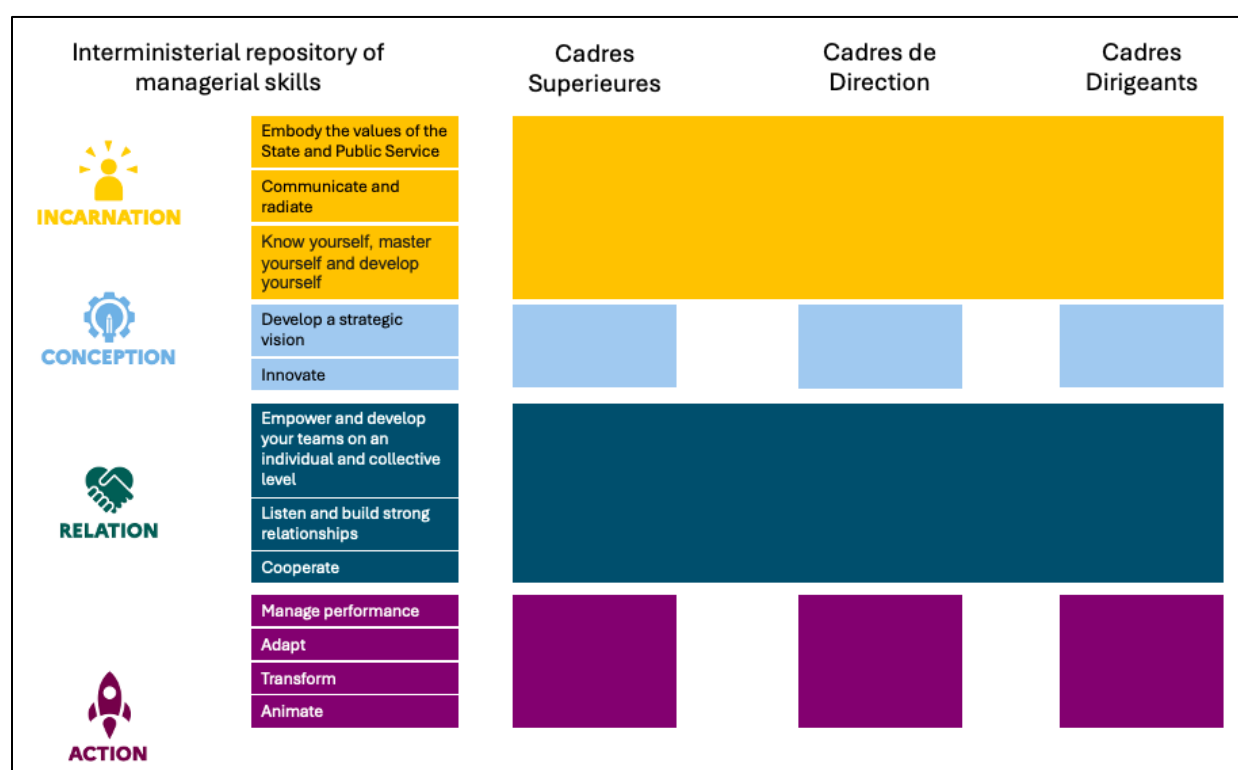
⁴⁶³ See <https://www.service-public.fr/particuliers/vosdroits/F14012#:~:text=Les%20emplois%20sup%C3%A9rieurs%20pour%20lesquels,recteur%20d'acad%C3%A9mie%2C%20etc>

⁴⁶⁴ DGAFP. 2023. Le périmètre de l’encadrement supérieur de l’État. Accessible at <https://www.fonction-publique.gouv.fr/etre-agent-public/mon-parcours-professionnel/les-carrieres-dans-lencadrement-superieur-de-letat/le-perimetre-de-lencadrement-superieur-de-letat>

Requirements for Senior Civil Service

Because the mission of DIESE is creating a common managerial culture and establishing common rules across ministries, DIESE and INSP developed a common competency framework for all SCS (“*cadres supérieurs*”), and specifically for *cadres de direction* and *cadres dirigeants* (Figure 15). To develop this framework, DIESE had to identify and translate the needs of employees -in this case ministries-, while INSP had to set the pedagogical criteria to develop initial and continuous training programs. The skills are organized in four main types: “*incarnation*” (which can be properly translated as embodying), conception, relation, and action. The incarnation and relation skills are basically the same for all the “*cadres*”, while the conception and action skills differ across positions.

Figure 15. Interministerial competency framework



Source: Website of DIESE. Accessible at <https://www.diese.gouv.fr/la-diese-cadre-anime-pilote-et-deploie-une-offre-de-service-destination-des-cadres-superieurs-et>

According to this framework, state administrators (ES) are required to possess:

- **Job-related skills** (“*compétences métier*”), which are particularly important for specific sectors, such as health or transport. For example, administrative bodies typically come from the National Institute for Public Service, while technical bodies may come from polytechnical schools.⁴⁶⁵

⁴⁶⁵ Interviews with former French authorities in charge of the design of the reform.

- **Transversal skills**, which have become increasingly important with the reform, particularly in terms of “*transitions*”, or those sectors that have become more relevant for governmental action, such as the green transition (“*transition écologique*”). This set of skills is part of a common base taught at INSP during the initial training of candidates.
- **Soft skills**, which the public administration recognizes as essential for ES positions, such as negotiation and leadership. Un repository of professions elaborated in collaboration with ministries states the different types of skills that civil servants need to have to occupy different roles, including senior civil servants.⁴⁶⁶ For example, an executive officer within a ministry needs to be skilled in leadership and innovation (Figure 16).

Figure 16. Example of the role and competences of an executive officer

Code of reference employment		FP2EPP03
Job title reference		Functional area
Executive officer of Ministry		Development and management of public policy
Definition		
Advise the highest authorities of the State on possible developments in public policies, set out the strategic orientations within the framework validated by the Government, and manage all administrations and public services in their implementation.		
Main activities		
Lead and coordinate crisis management and advise political power on methods of action. Lead an administration or public service, plan and organize your missions. Define the objectives and performance indicators of the administration, within the framework of budgetary programs Develop and propose changes in public policies to the highest authorities of the State...		
Know-how	Soft skills	Knowledge
Anticipate, lead change, decide, develop a strategy, manage performance	Sense of innovation/creativity, show authority, reactivity, demonstrate leadership	Project leadership and management Law/regulation, administrative, institutional and political environment

Source: Website of the example of a senior executive officer. Accessible at <https://www.fonction-publique.gouv.fr/files/files/ArchivePortailFP/www.fonction-publique.gouv.fr/cadre-dirigeant-de-ministere.html>

⁴⁶⁶ DGA FP. 2023. Répertoire des métiers de la fonction publique. Accessible at <https://www.fonction-publique.gouv.fr/toutes-les-actualites/publication-du-premier-repertoire-commun-des-metiers-de-la-fonction-publique>.

Filling positions in Senior Civil Service

In general, to join SCS, there are three main “access routes”⁴⁶⁷:

- (i) **Entrance exams (*concours*):** the most common way of accessing ES is via entrance exams, which are applied by several schools or training institutions, depending on the three functions: INSP only applies to FPE, while other schools train people for FPT and FPH.⁴⁶⁸ For Category A, and therefore for Category A+, candidates must hold at least a Bac+2 level.⁴⁶⁹ The information about exams, including dates and sectors, is publicly available at a website for this purpose.⁴⁷⁰ This option is also open to people with academic diplomas from other European countries and/or with relevant professional experience. The reform contributed to create a common basis for all exams, despite the school of origin. For example, even though administrative bodies may typically come from INSP and technical bodies from polytechnical schools, all exams have a similar core content in terms of key transitions.
- (ii) **Internal promotion (“*concours internes*”):** this option is open to active civil servants, civil servants on leave, contract agents, contract agents on leave, or employees of international intergovernmental organizations.⁴⁷¹ It is also open to nationals of countries in the European Economic Area, people with experience in public administration in these countries, or people who have received training in one of these countries that is equivalent to the training required by the public sector organization.
- (iii) **An aptitude list (“*liste d’aptitude*”):** a list previously validated by a selection jury that helps to approach employers and candidates to increase their likelihood of being recruited. The list is typically integrated by people who have been part of civil service for several years. This process is also known as an external touring (“*tour extérieur*”).
- (iv) **Via a “*chasse des têtes*” or headhunting process,** for very specific positions with specific roles, especially for contract agents, from the private sector or other public institutions, via LinkedIn or through contacts who know where people work.⁴⁷² This process is taken care by talent delegates within ministries.

⁴⁶⁷ The information can also be found in the *Décret* N° 2021-1550. The *Décret* also includes the possibility of recruiting people via secondment depending on the conditions specified in the *Décret*.

⁴⁶⁸ For example, for FPT, the National Institute of Territorial Studies (*Institut National d’Études Territoriales*, or INET) and for FPH the School of Advanced Studies in Public Health (*École des Hautes Études en Santé Publique*).

⁴⁶⁹ Website of *Concours*. See <https://www.service-public.fr/particuliers/vosdroits/F434>.

⁴⁷⁰ Ibidem.

⁴⁷¹ Ibidem.

⁴⁷² Interview with a talent delegate.

Specifically, to become a state administrator, the options are as follows:

- (i) **Via concours.** There are four main types of concours in this case; in all of them, individuals need to spend 24 months at INSP: (i) the regular INSP exam (“concours INSP”), (ii) internal promotion (“concours interne”) for candidates with at least four years in civil service, (iii) third exam (“troisième concours”) for people from the private sector, and (iv) doctoral competitions (“concours doctorat”).
- (ii) **Via external touring.** Candidates who are already part of civil service with at least eight years of professional experience can be considered to join ES via this aptitude list. In this case, they only need to spend six months at INSP since they have further experience in comparison to other potential candidates.
- (iii) **Via headhunting.** This option applies to contractual agents only, which means that they would have the level of SCS without the corresponding legal status. Their type of contract depends on their duration in the role, as previously explained.

Initial training of Senior Civil Servants

The initial training of SCS depends on the function they belong to. In other words, their initial training depends upon the corresponding school that selects candidates (INSP in the case of FPE, and other schools in the case of FPT and FPH). However, for the three functions, both **DIESE** and **INSP** contribute to developing:

- (i) **Talent development programs**, which aim to increase social representation and diversity.⁴⁷³ Within this range of programs, two programs seek to increase the participation of: (a) women, via the Talented Women Program⁴⁷⁴ (*Programme Talentueuses*), which currently groups 100 participants from the three civil service structures, lasts 8 days over a period of 6 months, and focuses on developing leadership and self-confidence, and (b) deserving scholarship students from disadvantaged social backgrounds, via the “Talents”⁴⁷⁵ (*Classes préparatoires “Talents”*), a preparatory class that helps students to prepare for civil service exams for Category A+, with a focus on coaching and real-life challenges.
- (ii) **The Cycle of Advanced Public Service Studies** (*Cycle des Hautes Études de Service Public*, or CHESP)⁴⁷⁶: a high-level training program for executives who want to become public leaders (Category A+), from the three structures civil service and the judiciary, and from the private sector, too, that lasts 20 days over a period of 12 months. The program aims to train agents in three main aspects: (a) to become leaders, (b) to know the world in the making, (c) to open to the realities of

⁴⁷³ Portal of civil service. See <https://www.fonction-publique.gouv.fr/files/files/ArchivePortailFP/www.fonction-publique.gouv.fr/la-reforme-de-la-haute-fonction-publique.html>

⁴⁷⁴ Website of *Talentueuses*. See <https://insp.gouv.fr/programme-talentueuses#:~:text=Le%20programme%20Talentueuses%20est%20un,la%20fonction%20publique%20de%20d%C3%A9veloppement>

⁴⁷⁵ Website of *Classes Préparatoires Talents*. See <https://insp.gouv.fr/prepas-talents>

⁴⁷⁶ Website of CHESP. See <https://insp.gouv.fr/cycle-des-hautes-etudes-de-service-public-chesp>

others. This program includes modules on digitalization, green transition, crisis management, among others and targets 135 executives.

(iii) **The Advanced Managerial Development Cycle** (*Cycle supérieur de développement managérial*, or CYSDM): a high-level interministerial training program that takes place over nine days, over nine months in total, and targets senior executives in FPE who intend to occupy managerial roles and develop their leadership and managerial skills.⁴⁷⁷

Specifically, for FPE, the initial training at INSP consists in:

- **The study of specific subjects** also known as “*transitions*”, to better prepare future senior executives to deal with new challenges, such as climate change. This is one of the key aspects of the reform in terms of pedagogical content on one hand, and initial and continuous training on the other.
- **The use of a research and scientific approach**, with an aim to “mobilize science for the benefit of civil service”.⁴⁷⁸ Every week, students have a research workshop based on scientific techniques for every single subject, which includes a practitioner, a senior executive and an academic.
- **Formalizing tenure** (“*titularisation*”). One of the key aspects of the reform is the deletion of rankings at the end of initial training so that candidates can transit across public institutions. Once candidates have completed their initial training, they become civil servants in the strict sense. To become civil servants, they need to pass every semester a set of both individual and collective evaluations, including written tests and internships.

Operationalization of the 2021 SCS Reform

In addition to the creation of DIESE, the operationalization of the reform has depended upon three main channels:

- (i) **The development of institutional structures to support the reform:** to implement the reform of the modernization of the State in general, the government created other structures such as the Inter-ministerial Department of Public Transformation (*Direction Interministérielle de la Transformation Publique*, or DITP), whose objective is to lead the implementation of the public transformation agenda, or the Inter-ministerial Digital Department (*Direction Interministérielle du Numérique*, or DINUM). The replacement of ENA with INSP and the creation of DIESE were specifically designed to support this transformation, too. These structures provide the implementation of the reform with further horizontal and vertical coordination.
- (ii) **The creation of networks of delegates:** the 2021 reform foresees the development of networks of delegates of ES (“*délégués à l’encadrement supérieur*”, or DES) that depend upon DIESE and are

⁴⁷⁷ Website of CYSDM. See <https://www.diese.gouv.fr/cycle-superieur-de-developpement-managerial-cysdem>

⁴⁷⁸ Information provided by INSP during an interview.

responsible for coordinating and implementing human resources policy for ES within each ministry and within the framework of guidelines developed by DIESE.⁴⁷⁹ This network meets regularly in person. The creation of this network was inspired by the dynamics within the private sector regarding human resources management.⁴⁸⁰ This network helps to strengthen the horizontal coordination of human resources policy across ministries.

- (iii) **The development of managerial tools:** DIESE has developed guidelines for interdepartmental management (“*lignes directrices de gestion interministérielle*”) which aim to help ministries and networks of delegates to implement the new human resources policy for over a period of five years, including the evaluation of talent.⁴⁸¹ For example, the development and implementation of ministerial plans for senior management help ministries to translate into concrete actions the common guidelines of human resources policy.⁴⁸²

Professional development of senior civil servants

One of the main reasons behind the replacement of ENA by INSP was precisely to improve the menu of professional development options, in addition to initial training. In practice, INSP is responsible for the development of professional development courses, in tight collaboration with DIESE. In this context, two notions are key:

- (i) **The notion of mobility:**⁴⁸³ precisely because one of the key aspects of the reform is the development of careers in SCS, the institutional framework of the reform recognizes three main types of mobility: (a) functional mobility, or the opportunity to work in a field of professional expertise that differs from the those in which the senior executive exercised his or her functions⁴⁸⁴, (b) geographical mobility, or a change of administrative residence,⁴⁸⁵ and (c) mobility in terms of professional environment, which corresponds to a change of work environment in which the missions are carried out, such as a change of employer.
- (ii) **A common framework for skills development:**⁴⁸⁶ since one of the core axes of the reform is to create a common identity among SCS, to develop such an identity DIESE is responsible for developing and providing guidelines and frameworks for ministries and other institutions, such as INSP. The shared skills framework helps to anticipate employer needs, facilitate mobility, and encourage the acquisition of skills.

⁴⁷⁹ Website of DIESE and DES.

⁴⁸⁰ Interview with a talent delegate and Portal of public service.

⁴⁸¹ *Circulaire* n° 6346-SG and Portal of public service.

⁴⁸² *Circulaire* n° 6346-SG.

⁴⁸³ *Circulaire* N° 6346-SG.

⁴⁸⁴ Without necessarily changing ministries.

⁴⁸⁵ In this context, mobility within a department or department between two locations served by the same public transport network is not geographical mobility.

⁴⁸⁶ *Circulaire* N° 6346-SG.

- (iii) **A system of career path** (“*dispositif parcours et carrière*”): DIESE, in collaboration with DES, provide the senior executive with advice and presents outlooks of his or her career options.⁴⁸⁷ A committee composed by at least five members, including the president, conducts an analysis of the potential career paths of the senior civil servant and, using a skills-based approach, presents recommendations adapted to the executive’s project and needs. This system involves, therefore, guidance, professional development, and evaluation, which typically takes place at least once every six years.

Appraisal of individual professional performance

One of the key elements of the 2021 Reform is the development of an evaluation component for SCS, to avoid corporativism and, in contrast, to build a meritocracy. Evaluations take place throughout the career of senior civil servants are aimed at helping them to identify their strengths and areas of opportunities and, therefore, to develop their own skills plans.⁴⁸⁸ There are two main types of evaluations – in both cases, DIESE has a leadership role in the definition of guidelines:

- (i) **Annual professional meetings:**⁴⁸⁹ each senior executive meets with his or her direct supervisor to assess his or her capacity to achieve the objectives established at the beginning of the year, as well as his or her way of serving considering the competency framework developed by DIESE.
- (ii) **Assessments of achievements and skills:**⁴⁹⁰ beginning in 2023, this type of evaluation will support senior managers and will take place at least once every 6 years. In this case, the hierarchical authority of the senior executive does not participate; instead, a collegial body is responsible for this process -in some cases, this body depends upon the Prime Minister. The results of this type of evaluations help both ministries and senior executives to develop a corresponding training plan and to consider a promotion.

Administrative and disciplinary liability

According to the General Civil Service Code, public agents need to execute their role “with dignity, impartiality, integrity and probity”. Failure to comply by these rules may result in the application of disciplinary and criminal proceedings for acts performed in the exercise of the senior executive’s duties.⁴⁹¹

Persisting challenges

Despite the efforts of the SCS reform, the interviewed officials who oversaw the design of the reform and the officials who are currently implementing have identified three persisting challenges:

⁴⁸⁷ Website *Dispositif Parcours et Carrière*. See <https://www.diese.gouv.fr/dispositif-parcours-carriere>

⁴⁸⁸ *Circulaire* N° 6346-SG.

⁴⁸⁹ *Circulaire* N° 6346-SG.

⁴⁹⁰ *Circulaire* N° 6346-SG and Portal of civil service.

⁴⁹¹ *Code général de la fonction publique*.

- (i) **Overcoming the stigma of contract agents:** civil servants in the strict sense (“*fonctionnaires*”) who joined the Category A+ via a civil service exam tend to disregard contract agents who did not have to pass such an exam to join the same category, even though they possess the right skills, and they were selected through a competitive process.
- (ii) **Improving and coordinating information systems about human resources:** the success of information systems depends on the type of information they include and the people who includes the information. Civil servants also need to participate in the process of enriching information systems, which is not always the case in practice, despite the efforts of DES, especially considering that SCS involves 25,000 people.
- (iii) **Determining the total number of SCS in practice:** even though the reform is an attempt to define the new ES and its composition, in practice this exercise has been difficult. The reason is that ministries do not always know how to classify executives.⁴⁹²

⁴⁹² Information provided during an interview.

Annex 4. Analysis of the profiles and personnel dynamics of HLCS in Romania

Methodology

This Annex presents a systematic analysis of the profiles of general secretaries and deputy general secretaries at the ministerial level in Romania for the period from January 1, 2021, to May 31, 2025.⁴⁹³

The Prime Minister's decisions regarding the appointments and releases of general secretaries, as published in the Official Gazette of Romania during this period, were a valuable source of information for creating an inventory of all individuals appointed to these positions. A total of 442 decisions were identified, comprising 358 appointment decisions and 84 release decisions. A total of 97 individuals were appointed to these positions.

The goal of analyzing the Prime Minister's decisions was to create a comprehensive and reliable inventory of all individuals appointed as general secretaries, and to extract other valuable information such as the method of their appointment, the position held before appointment, and the duration of their mandates. In addition, the longitudinal study provided the opportunity to identify the movement of general secretaries to similar positions in other ministries, to calculate the duration of their mandates, and to analyze the impact of ministerial changes on the releases from office of general secretaries. Table 10 presents an overview of the research methodology.

Table 10. Overview of the research methodology

Total no. of decisions published in the Official Gazette of Romania between January 1, 2021, and May 31, 2025	442
No. of appointment decisions	358
No. of release decisions	84
Total no. of people appointed	97
Total no. of CVs analyzed	66 (68%)

Source: Authors' elaboration based on the analysis of the Prime Minister's Decisions published in the Official Gazette of Romania between January 1, 2021, and May 31, 2025, and the analysis of the CVs identified online

To gain a better understanding of the profile of general secretaries, the CVs of individuals occupying these positions between January 1, 2021, and May 31, 2025, were analyzed. Information about the gender and age distribution, level of education, universities where they graduated, subjects of university education, career pathways, and political experience was extracted from their CVs. Based on the analysis of the Prime Minister's decisions, 97 individuals were appointed during this period, as some were reappointed multiple times. A total of 66 CVs were identified online (either on the websites of ministries or

⁴⁹³ The beginning of the period analyzed (January 1, 2021) almost corresponds with the beginning of the Florin Cîtu Government (which was appointed on December 23, 2020). One of the objectives of this study was to investigate the relationship between governmental changes and the appointment of general secretaries.

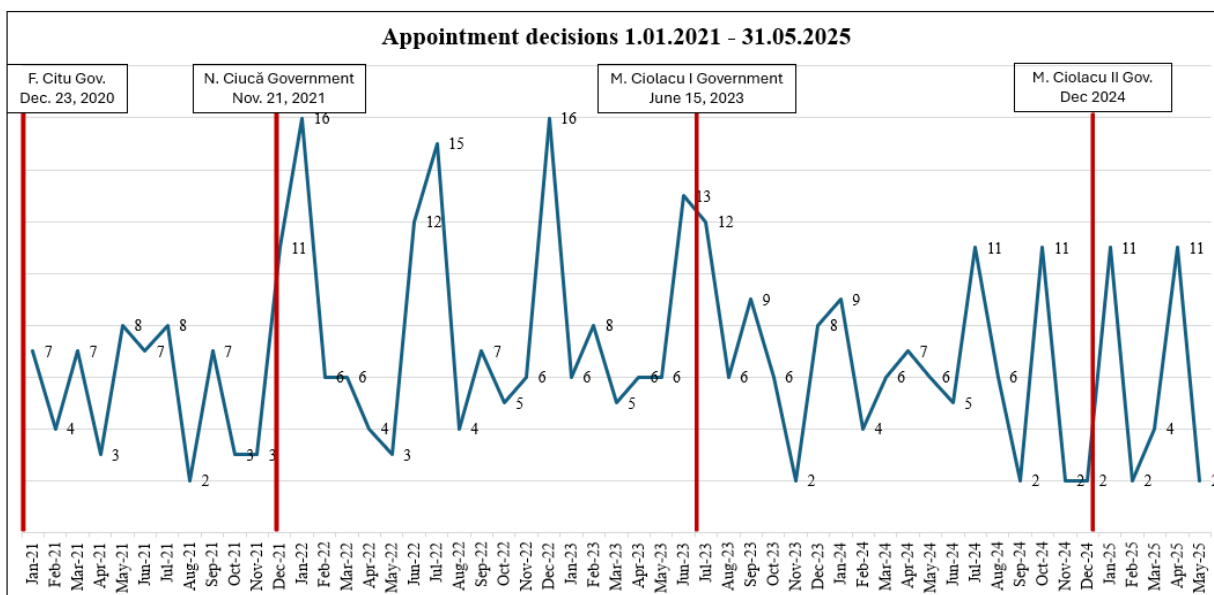
other central-level public institutions), representing 68% of the total number of people appointed during this period. Therefore, the analysis of the CVs is incomplete, as it does not cover all the individuals appointed during the analyzed period. Although there is no obligation for ministries to publish the CVs of general secretaries on their websites, it has become good practice for most ministries to do so. Therefore, the CVs of those individuals in office as of May 31, 2025, were the easiest to identify. However, there is no open-access repository containing the names and CVs of individuals who have held such positions in the past. Although some names and CVs can be found online on old versions of some ministries' websites, this information is not up to date. Although this information was sometimes incomplete or outdated, it still provided valuable insights into the profiles of general secretaries at the ministerial level.

This type of analysis has not been performed before on HLCS in Romania, and it complements the statistical data reported annually by the NACS regarding the total number of senior civil servants and the occupancy rate of these positions. This study examines the profiles of individuals appointed as general secretaries at the ministerial level. It is important to note that this study does not analyze all subcategories of senior civil servants. More specifically, the study does not analyze the general secretaries appointed to agencies subordinate to ministries or other central-level institutions, nor those appointed to the Prefect's Institution, or those appointed as GI in the GSG. Therefore, the results of this analysis cannot be generalized for the entire corps of HLCS. However, meaningful conclusions can be drawn about this subcategory of HLCS that have been analyzed.

Results of the analysis

The analysis of appointment decisions for general secretaries reveals a seasonal trend, with a higher number of appointments occurring approximately every six months, due to temporary appointments. The number of appointments in the period following governmental changes did not increase; rather, the trend of appointments was seasonal (see Figure 17). These results indicate that the temporary appointment made for a six-month term has become the most frequently used method for appointing general secretaries.

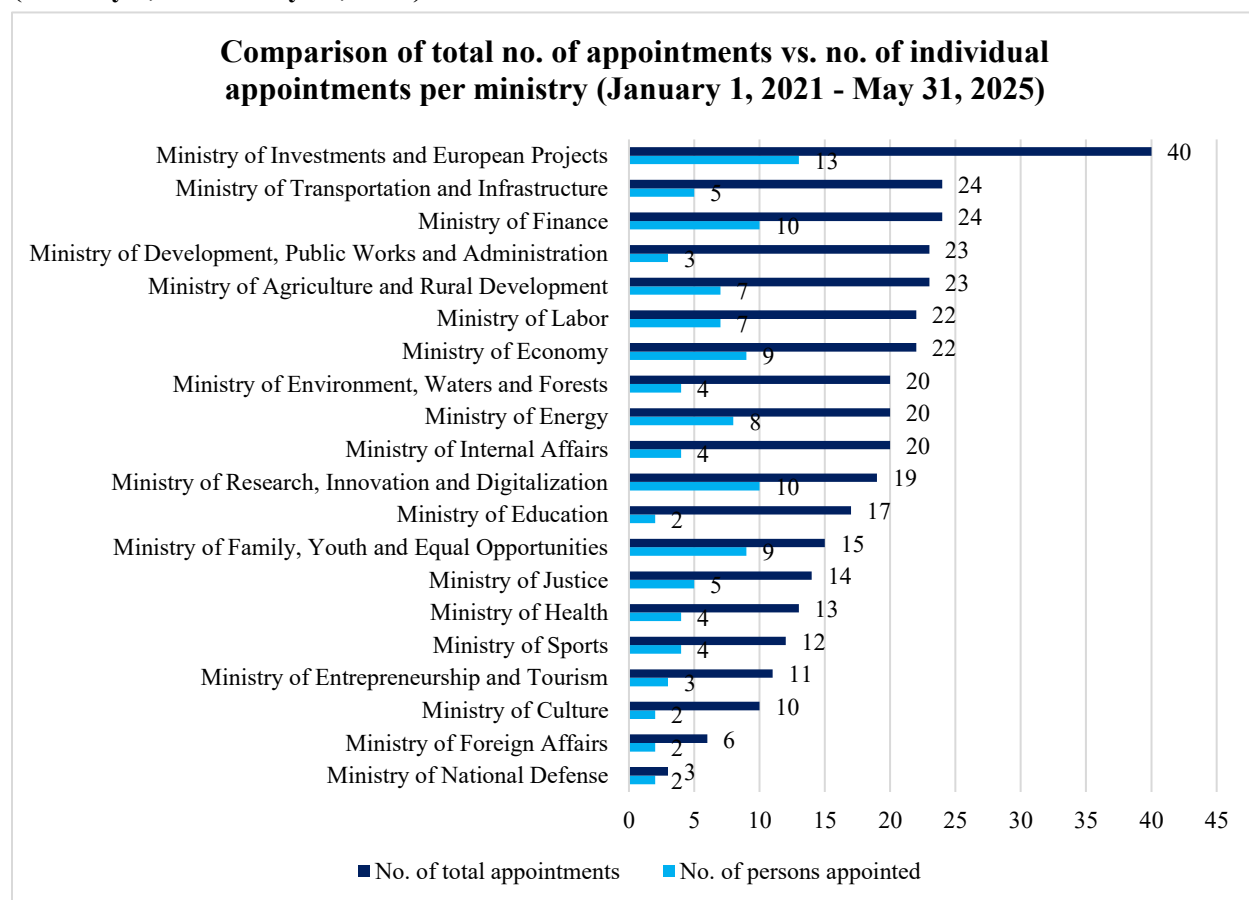
Figure 17. Appointment decisions of general secretaries of ministries between January 1, 2021, and May 31, 2025



Source: Authors' elaboration based on the analysis of the Prime Minister's Decisions published in the Official Gazette of Romania between January 1, 2021, and May 31, 2025.

The distribution of appointment decisions by ministries reveals a significantly higher number of appointments for some ministries and greater stability for others. For example, 40 appointment decisions were made in the case of the Ministry of Investments and European Projects, which involved the appointment of 13 individuals as general secretaries and deputy general secretaries (see Figure 2). These are the highest numbers of appointments among all ministries during the period analyzed. One possible explanation is that during this period, five ministers (and one interim minister) from three political parties were appointed to manage this ministry, and they chose to appoint different people as general secretaries. However, even though the frequent changes indicate a high level of instability for this position, upon analyzing the duration of mandates of people appointed during this period, one person was identified in the Ministry of Investments and European Projects, who was in office for 50 months as of May 31, 2025. When comparing the ministries with a similar number of appointment decisions, differences in the number of people appointed as general secretaries were observed. For example, although the number of appointment decisions is similar for the Ministry of Transportation and Infrastructure and the Ministry of Finance, the number of people appointed is twice as high in the latter case. A possible explanation might be that five ministers (and one interim minister) from three political parties were appointed to the Ministry of Finance during the period analyzed, compared to two ministers (and one interim minister) from two political parties to the Ministry of Transportation. Figure 18 shows other ministries with a high number of appointment decisions, but with a low number of people appointed, indicating relatively stable staffing for this position. For example, in the Ministries of Education and Culture, two individuals were reappointed multiple times to the positions of general secretary or deputy general secretary. The Ministry of Defense shows the highest stability of these positions.

Figure 18. Comparison of total no. of appointments vs. no. of individual appointments per ministry (January 1, 2021 - May 31, 2025)

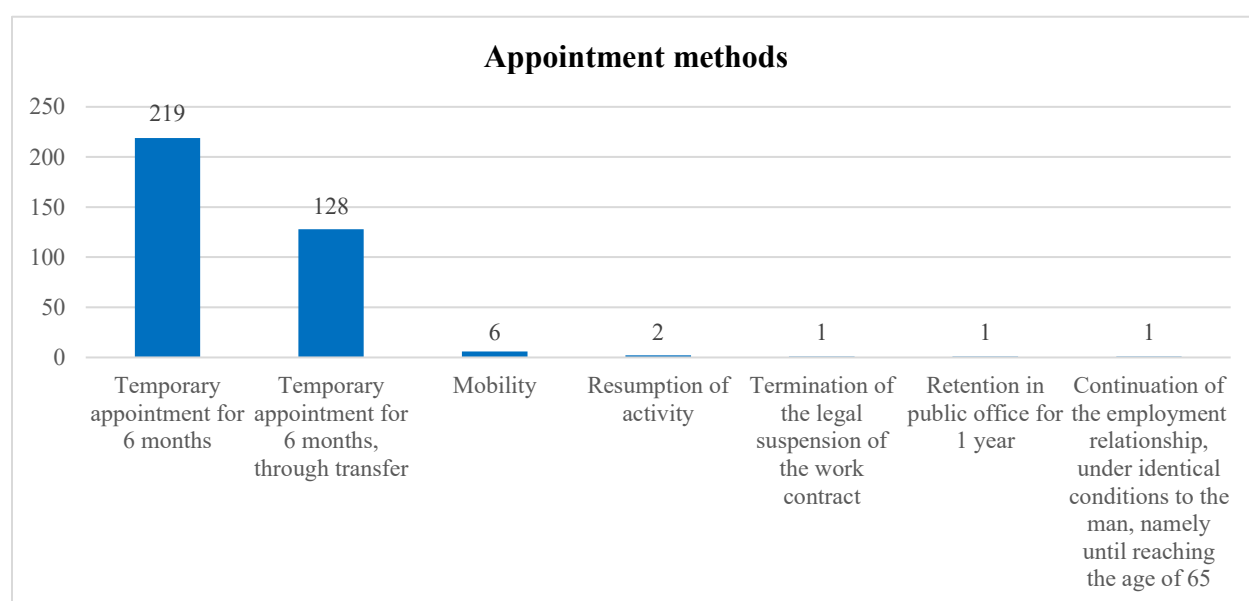


Source: Author's elaboration based on the analysis of the Prime Minister's Decisions published in the Official Gazette of Romania between January 1, 2021, and May 31, 2025

The analysis of the Prime Minister's decisions showed that the most frequent method used for appointing general secretaries and deputy general secretaries is through temporary appointments for a period of 6 months, made from among the civil servants of the respective ministry. Out of a total of 358 appointments, 219 were made through this method (see Figure 19). The second most common method is temporary appointments for a period of 6 months, made through transfer from another institution. A total of 128 such appointments were made between January 1, 2021, and May 31, 2025. Other appointment methods were through mobility within the senior civil service body (6) and resumption of activity (2). No appointment was made as a result of an open contest during the period we analyzed. These results correspond to the statistics released by the National Agency of Civil Servants⁴⁹⁴, showing that 63% of the total number of positions in the category of senior civil servants were temporarily occupied in 2024, an increase from 52.3% in 2023.

⁴⁹⁴ ⁴⁹⁴ National Agency of Civil Servants (2024). Report on the Management of the Civil Service and Civil Servants. <https://www.anfp.gov.ro/media/z32ptoe1/raport-privind-managementul-func%C8%9Biei-%C8%99i-func%C8%9Bionarilor-publici-2024.pdf>

Figure 19. Distribution of appointment methods for the period January 1, 2021, and May 31, 2025



Source: Author's elaboration based on the analysis of the Prime Minister's Decisions published in the Official Gazette of Romania between January 1, 2021, and May 31, 2025

The analysis of the Prime Minister's decision revealed that general secretaries are most often appointed from among middle-level and non-managing civil servants within the same ministry, rather than from top-level bureaucratic positions, such as general directors. Since most appointments were made temporarily from among civil servants in the respective ministry or transferred from another public institution, the positions from which these individuals were appointed as general secretaries or deputy general secretaries were analyzed. This information was extracted from the Prime Minister's decisions published in the Official Gazette of Romania. Appointments made from the same ministry were analyzed separately from those made through transfers from other public institutions. In cases where a person is temporarily appointed multiple times to the same position (as is often the case), only one of these appointments was included in the analysis. However, in the case the civil servant was appointed multiple times, but from different positions, all these situations with different previous positions were included in the analysis. The goal of this analysis was to identify the positions held prior to being appointed as general secretary and to determine the level of managerial experience they had at the ministerial level. Most often, general secretaries were appointed from among civil servants having the status of councilors (with a superior professional degree) (33 out of 78 appointments), directors (14 appointments), general directors (7 appointments), deputy general directors (6 appointments), heads of offices (6 appointments), and deputy directors (4 appointments) (see Table 11). Other appointments were made from specialized positions encountered in ministries such as the Ministry of Foreign Affairs (plenipotentiary minister), the Ministry of Interior (police chief quaestor), or the Ministry of Justice (legal specialist personnel assimilated to judges and prosecutors).

Table 11. Positions within the same ministry from which general secretaries were appointed

Position within the same ministry	No. of appointments
Councilor (superior professional degree) (<i>Consilier (grad profesional superior)</i>)	33
Director	14
General director	7
Deputy general director	6
Head of office (<i>Şef serviciu</i>)	6
Deputy director	4
Police Chief Quaestor (<i>Chestor-şef de poliție</i>)	1
Diplomat	1
Inspector (professional degree assistant or superior) (<i>grad profesional asistent sau superior</i>)	1
Councilor minister (<i>Ministru consilier</i>)	1
Plenipotentiary Minister (<i>Ministru plenipotențiar</i>)	1
Public manager	1
Legal specialist personnel assimilated to judges and prosecutors (<i>Personal de specialitate juridică asimilat judecătorilor și procurorilor</i>)	1
Head of bureau (<i>Şef birou</i>)	1
Total	78

Source: Author's elaboration based on the analysis of the Prime Minister's Decisions published in the Official Gazette of Romania between January 1, 2021, and May 31, 2025

When general secretaries were appointed through transfers, they were transferred from non-managing or mid-level management positions, such as councilor and director, either from another ministry or from subordinate authorities within the same ministry to which they were appointed. In a few cases, they were transferred from top-level bureaucratic positions. In only 4 out of 44 cases, general secretaries were transferred from the general directors, and in 2 cases from the deputy general director (see Table 12). Most often, general secretaries were transferred from mid-level management positions in other institutions or non-managing positions, such as councilors (holding a superior or principal professional degree) (11 out of 44 appointments), director (7), parliamentary councilor (4), inspector (3), head of office (3), executive director (2), public manager (2), or superior auditor (2). This result illustrates a somewhat lower level of managerial experience before being appointed as general secretaries.

Table 12. Positions from which general secretaries were transferred

Positions from which transfers were made	No. of appointments
Councilor (superior and principal professional degree) (<i>Consilier (grad profesional superior sau principal)</i>)	11
Director	7
Parliamentary councilor (<i>Consilier parlamenatar</i>)	4
General director	4
Inspector (assistant and superior professional degree) (<i>Inspector (grad profesional asistent sau superior)</i>)	3
Head of office (<i>Şef serviciu</i>)	3
Executive director (<i>Director executive</i>)	2
Deputy general director (<i>Director general adjunct</i>)	2
Public manager (<i>Public manager</i>)	2
Superior auditor (<i>Auditor superior</i>)	2
Deputy director (<i>Director adjunct</i>)	1
Deputy executive director (<i>Director executiv adjunct</i>)	1
Deputy Head of Administration (<i>Şef administrație adjunct</i>)	1
Chief commissioner of police (<i>Comisar şef de poliție</i>)	1
Total	44

Source: Authors' elaboration based on the analysis of the Prime Minister's Decisions published in the Official Gazette of Romania between January 1, 2021, and May 31, 2025

In most cases, transfers of general secretaries were made from institutions at the central level, either from another ministry (16 out of 44 appointments) or from subordinate authorities within the same ministry to which they were appointed (5 appointments) (see Table 13). In 11 cases, transfers were made from deconcentrated institutions at the county level, and in only one case, the transfer was made from the local administration. In the rest of the cases, transfers were made from other institutions at the central level, such as the administrative apparatus of the two chambers of the Parliament, the Permanent Electoral Authority, the Prime Minister's Control Body, the Court of Auditors, the Council of Competition, the Anti-Fraud Department, the Romanian Police, or the General Secretariat of the Government.

Table 13. The institutions from which the general secretaries were transferred

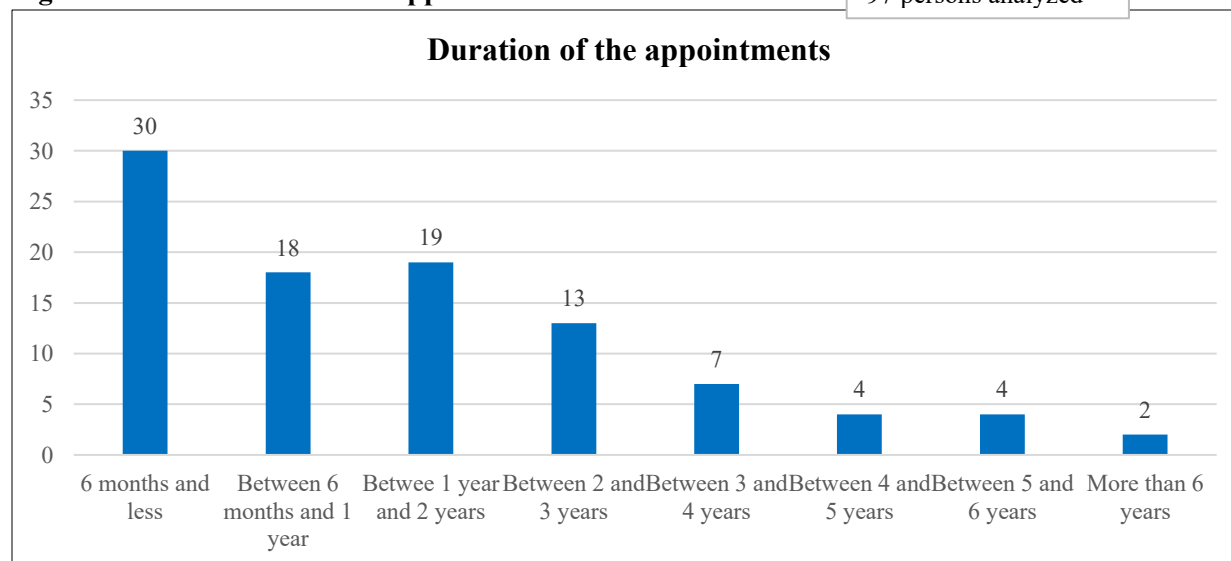
The institutions from which the general secretaries were transferred	No. of transfers
Another ministry	16
Deconcentrated institutions at the county level	11
Authority under the subordination of the same ministry	5
Chamber of Deputies	2
Romanian Senate	1
Authority under the subordination of another ministry	1
Permanent Electoral Authority	1

Council of Competition	1
Prime Minister's Control Body	1
Court of Auditors	1
Anti-Fraud Department	1
Romanian Police	1
Constanta City Hall	1
General Secretariat of the Government	1
Total	44

Source: Author's elaboration based on the analysis of the Prime Minister's Decisions published in the Official Gazette of Romania between January 1, 2021, and May 31, 2025

The analysis revealed that the mandates of nearly half of the general secretaries and deputy general secretaries appointed between January 1, 2021, and May 31, 2025, were less than one year (Figure 20). When calculating the duration of a person's term, the start of the mandate is the first time that person was appointed to a position in a ministry. If that person was reappointed to the same position multiple times, the subsequent appointments were considered as continuations of the mandate. However, if that person was appointed to a different position within the same ministry (for example, from deputy general secretary to general secretary), the new appointment was considered to be a new mandate. The same procedure was applied in cases where the person was appointed to a position in another ministry. The analysis revealed that 30 out of 97 people were in office for less than six months as of May 31, 2025, and 18 people were in office for a term between six months and one year. Another 19 people were appointed between 1 and 2 years. The short-term mandates of general secretaries are often the result of temporary appointments for six months. However, the analysis also revealed some stability in a limited number of positions, as four general secretaries were appointed between 4 and 5 years, four between 5 and 6 years, and two for more than 6 years. Although the appointments of all these people were temporary, they were reappointed every six months thereafter. This result indicates a certain degree of stability for some of the general secretaries.

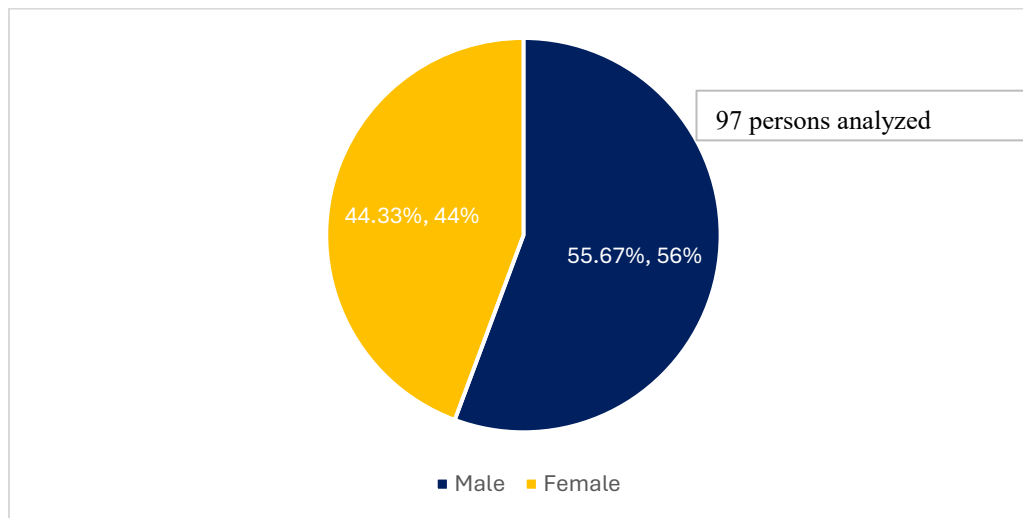
Figure 20. Duration of the SG appointments



Source: Author's elaboration based on the analysis of the Prime Minister's Decisions published in the Official Gazette of Romania between January 1, 2021, and May 31, 2025

The analysis of the profiles of individuals appointed as general secretaries revealed that, overall, males are more represented than females, with only a few ministries having a larger number of females as general secretaries. The study revealed that 55.57% of the 97 individuals appointed between January 1, 2021, and May 31, 2025, were male, and 44.33% were female. This finding corresponds with the statistics published by the National Agency of Civil Servants (2024, p. 74), which show that males outnumber females in the entire category of senior civil servants (63.4% males and 36.6% females)⁴⁹⁵. However, the present study revealed that in ministries such as Foreign Affairs, Digitalization, Innovation and Research, Investments and European Projects, Health, and Sports, more women were appointed than men during the period analyzed (see Figure 21).

Figure 21. Gender distribution of SG appointed between January 1, 2021, and May 31, 2025



Source: Author's elaboration based on the analysis of the CVs of the general secretaries appointed between January 1, 2021, and May 31, 2025

The study revealed a tendency toward the appointment of general secretaries with higher ages. Calculating the age of individuals appointed as general secretaries was challenging because the birth year was the most frequently missing information in CVs. The median age of the 38 individuals who disclosed their birth year was 49 years in 2025. This finding corresponds to the mean age calculated by the National Agency of Civil Servants for all civil servants in Romania in 2024.⁴⁹⁶

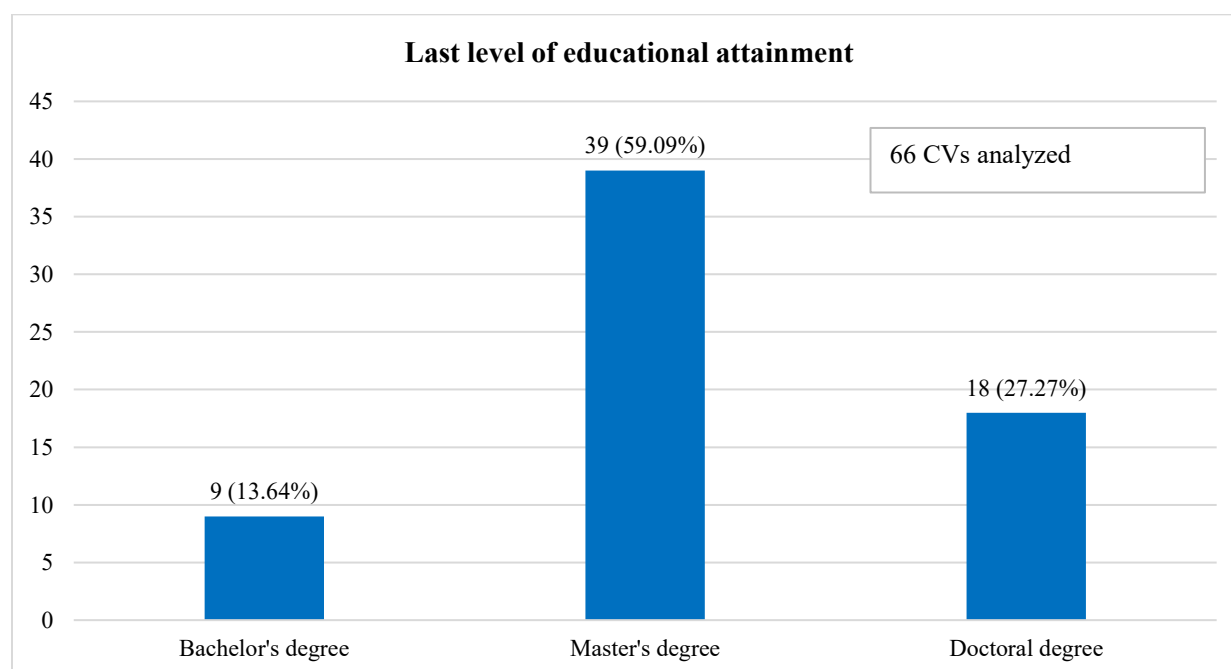
Most individuals meet the educational requirements to occupy the position of general secretary, as more than half of them hold at least a master's degree, and more than a quarter hold a doctoral degree. The research revealed that 59.09% of the general secretaries hold a master's degree, and 27.27% hold a PhD degree (see Figure 22). This finding indicates that most people meet the requirement of having a master's degree for occupying the position of general secretary, even though most of them are appointed

⁴⁹⁵ National Agency of Civil Servants. 2024. Report on the Management of the Civil Service and Civil Servants. <https://www.anfp.gov.ro/media/z32ptoe1/raport-privind-managementul-func%C8%9Biei-%C8%99i-func%C8%9Bionarilor-publici-2024.pdf>

⁴⁹⁶ Ibidem.

temporarily from outside the body of senior civil servants. The Administrative Code requires that the temporary appointment of civil servants to a public position in the category of senior civil servants can be carried out under the condition that the civil servants prove the fulfillment of the specific competencies and educational requirements to exercise the public office in the category of vacant or temporarily vacant senior civil servants, within a maximum of 90 days from the date of the order of the measure.⁴⁹⁷ Therefore, civil servants appointed temporarily during the analyzed period were selected from among those who met the educational requirements for the position.

Figure 22. Last level of educational attainment



Source: Author's elaboration based on the analysis of the CVs of the general secretaries appointed between January 1, 2021, and May 31, 2025

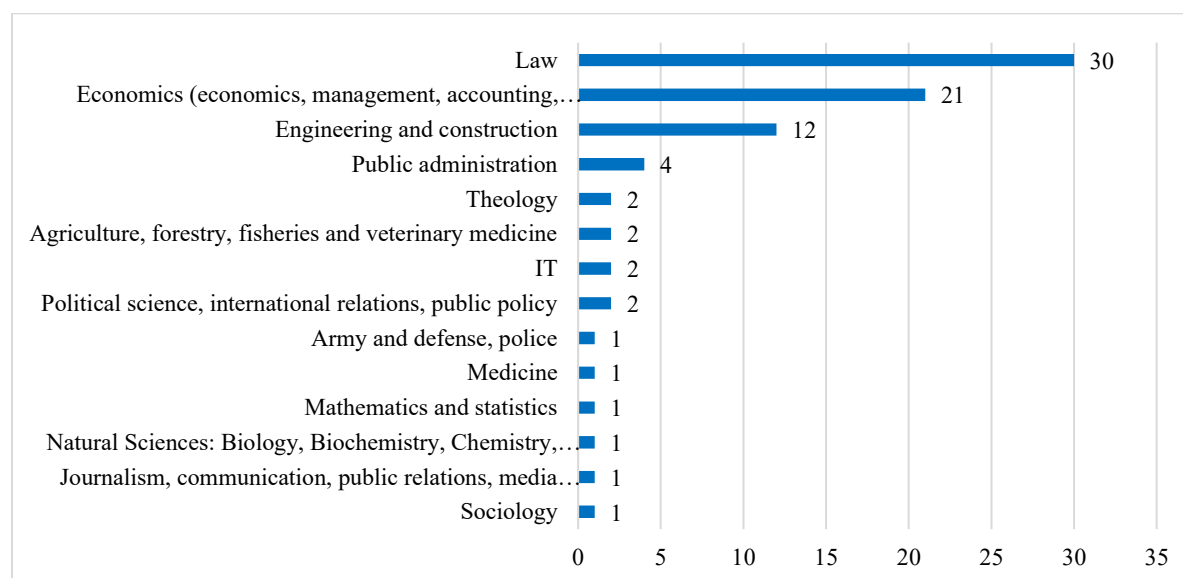
Most often, general secretaries hold bachelor's degrees in law or economics, master's degrees in public administration and law, and doctoral degrees in economics. Law is the most common field of specialization for bachelor's degrees that general secretaries have obtained (in 30 cases), followed by economics (21 cases), engineering (12 cases), and public administration (4 cases) (Figure 23). At the master's level, general secretaries have obtained degrees in public administration (21 cases), law (12 cases), accounting, finance, and banking (8 cases), and management (6 cases) (Figure 24). Holding a master's degree in public administration, management, or in the specialty of studies required for the occupation of public office is a mandatory requirement for occupying the position of senior civil servant⁴⁹⁸. Therefore, the higher number of degrees in public administration and management reflects that those appointed as general secretaries meet the educational requirements set by the Administrative Code. The specializations of doctoral studies show a much greater variety, as there is no requirement for holding such a degree. The

⁴⁹⁷ According to Article 509 of GEO No 57/2019 on the Administrative Code

⁴⁹⁸ According to Article 394(4) of GEO No 57/2019 on the Administrative Code

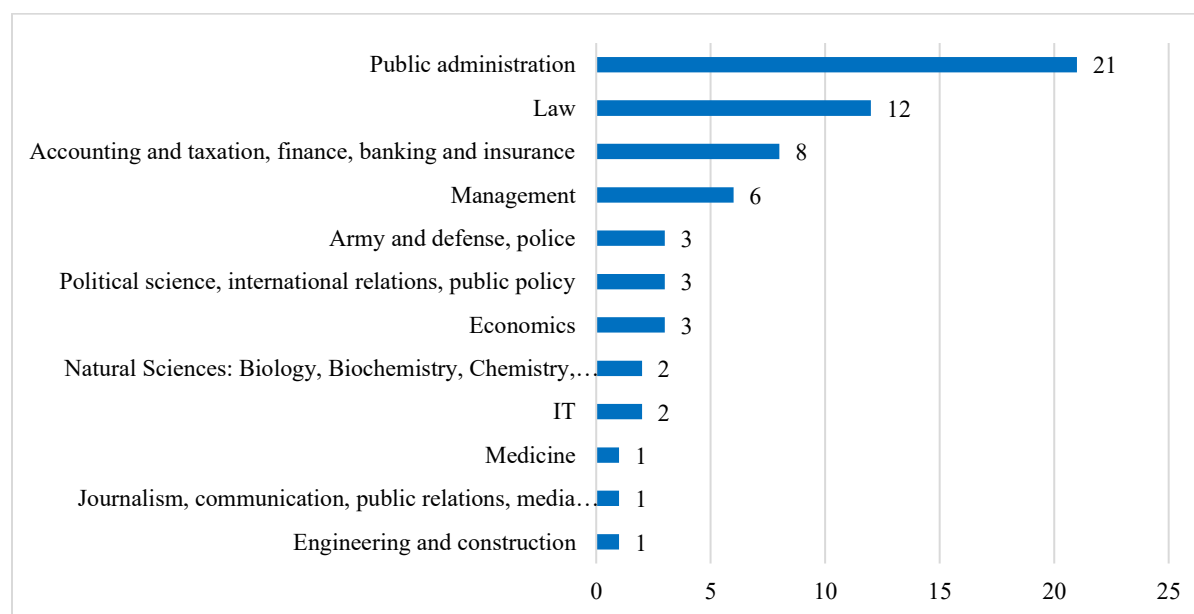
most common fields of specialization of doctoral studies are economics (8), followed by law (3), engineering (2), and public administration (2) (see Figure 25).

Figure 23. Specialization of bachelor's degrees



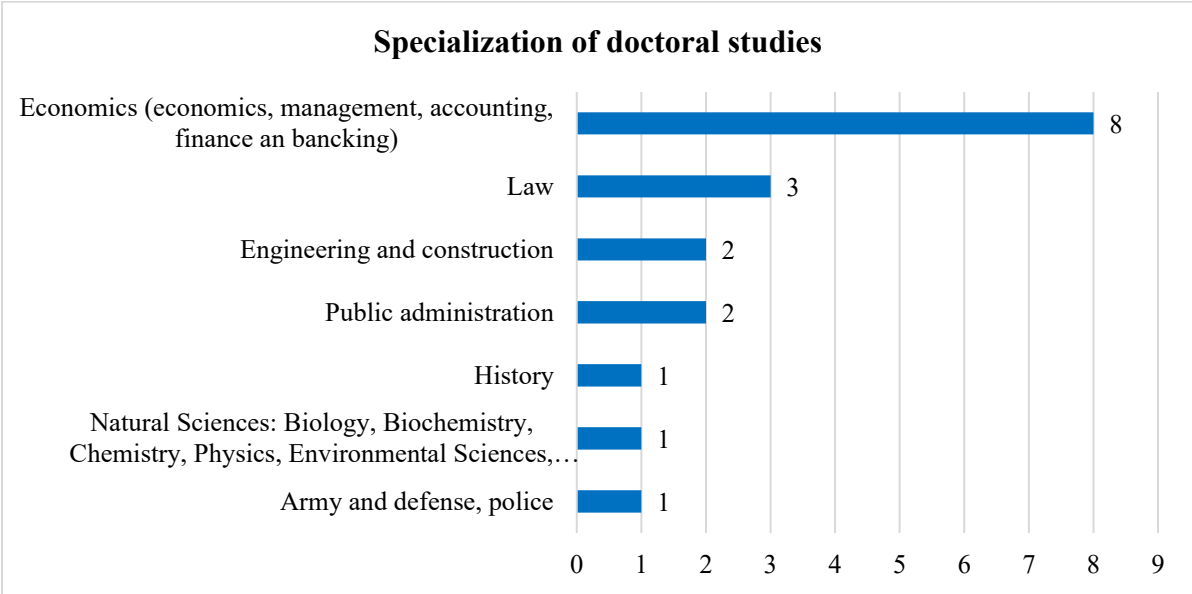
Source: Author's elaboration based on the analysis of the CVs of the general secretaries appointed between January 1, 2021, and May 31, 2025.

Figure 24. Specialization of master's degrees



Source: Author's elaboration based on the analysis of the CVs of the general secretaries appointed between January 1, 2021, and May 31, 2025

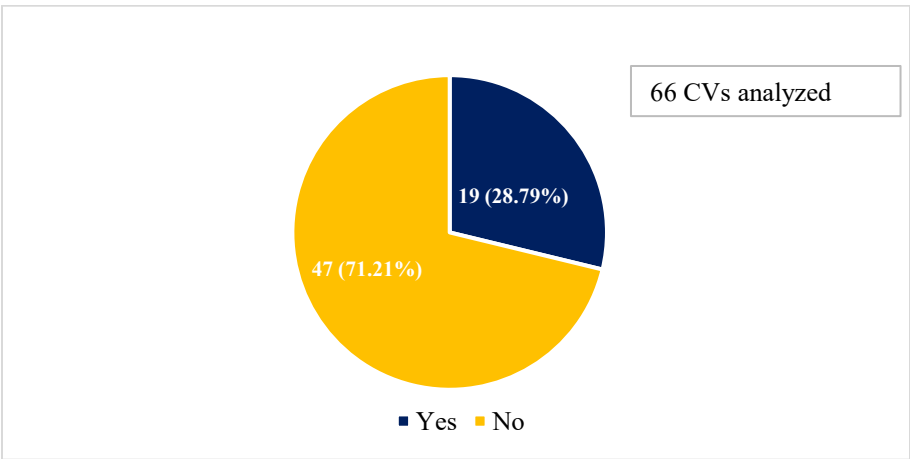
Figure 25. Specialization of doctoral studies



Source: Author’s elaboration based on the analysis of the CVs of the general secretaries appointed between January 1, 2021, and May 31, 2025

Almost a third of the SG have conducted studies abroad. The analysis of the 66 CVs available revealed that 19 (28.79%) of the general secretaries conducted studies abroad, even though some of the studies were not formalized with a diploma (see Figure 26). Although legislation does not require senior civil servants to study abroad, studying abroad exposes civil servants to diverse governance systems and helps them analyze domestic issues with a more informed, global perspective.

Figure 26. Number of general secretaries who conducted studies abroad

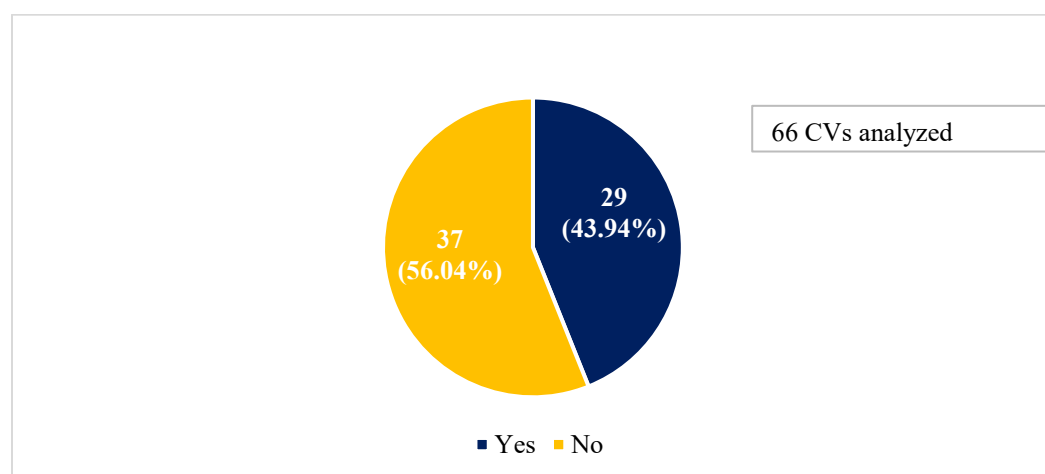


Source: Author’s elaboration based on the analysis of the CVs of the general secretaries appointed between January 1, 2021, and May 31, 2025

The analysis revealed that almost half of the SG had graduated from a course organized by the National Institute of Statistics for senior civil servants. The Administrative Code requires all individuals

appointed as general secretaries, including those appointed temporarily, to have graduated from a course organized by the National Institute of Statistics for senior civil servants. The research revealed that 43.94% of the individuals appointed as general secretaries between January 1, 2021, and May 31, 2025, included information about graduating from the course for senior civil servants in their CVs (see Figure 27). Additionally, two individuals were previously elected as members of Parliament, which the Administrative Code recognizes as equivalent to graduating from the course organized for senior civil servants⁴⁹⁹. This information should be analyzed with caution because some of the CVs were not updated, and in some cases, a person may have omitted to include the information in their CV.

Figure 27. Number of SG who graduated from the course for senior civil servants organized by the National Institute of Administration

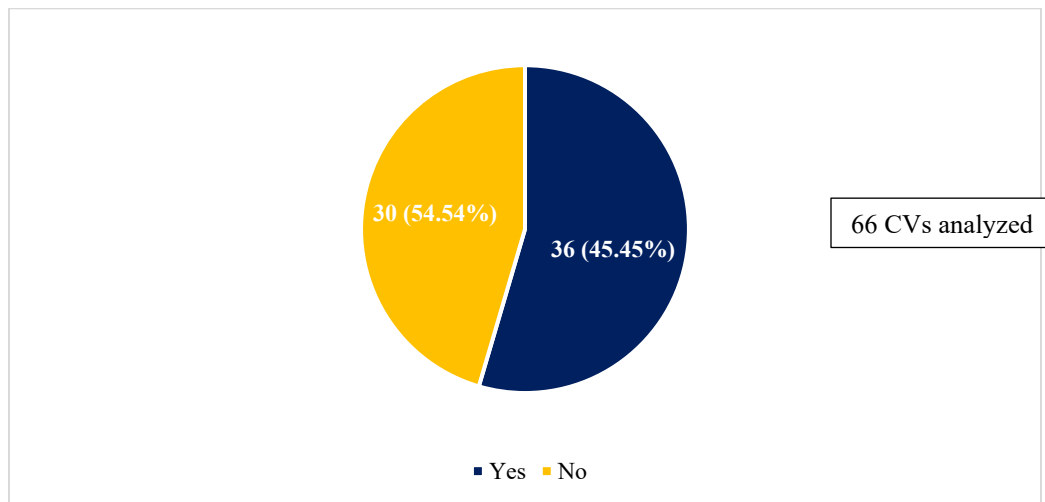


Source: Author's elaboration based on the analysis of the CVs of the general secretaries appointed between January 1, 2021, and May 31, 2025

Most of the SG were appointed from among those who held a similar position in the past, either in the same ministry or a different one. The analysis of career pathways revealed that 54.54% of the 66 general secretaries for whom CVs were available previously held a similar position, either as general secretary or deputy general secretary (see Figure 28). In some cases, a rotation took place from a deputy secretary general position to a secretary general position, or vice versa, within the same ministry. In other cases, they were moved from one ministry to another. For example, seven individuals were appointed to two different ministries, and three individuals were appointed to three ministries, either as general secretaries or deputy general secretaries.

⁴⁹⁹ According to Article 394(4) of GEO No 57/2019 on the Administrative Code.

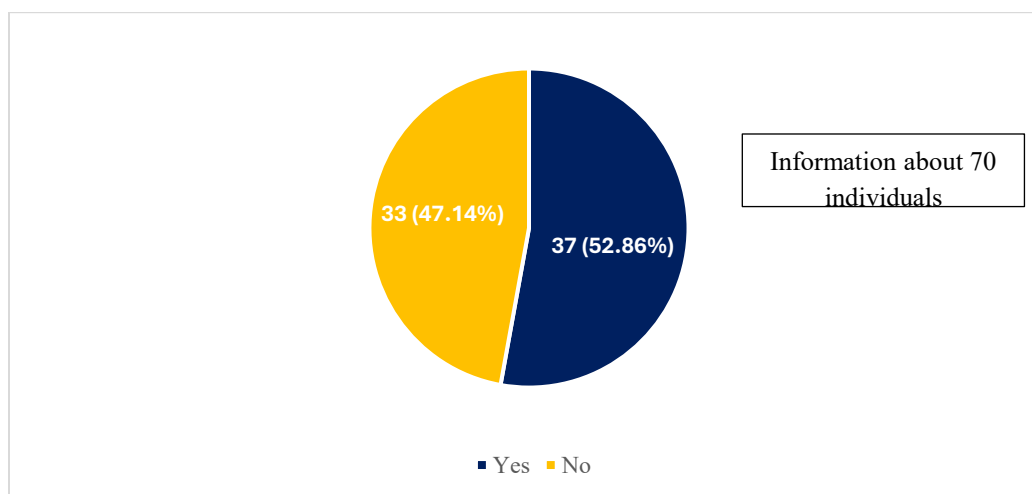
Figure 28. Number of SG who held a similar position in the past



Source: Author's elaboration based on the analysis of the CVs of the general secretaries appointed between January 1, 2021, and May 31, 2025

Holding a position that could be associated with a political role was found on the career pathways of more than half of the SG. The analysis of general secretaries' career pathways revealed that 52.86% of the 70 individuals for whom information was available held a position that could be associated with a political role (see Figure 29). Information was available only for 70 out of 97 people appointed during the period we analyzed. The primary source of information was their CVs, but in some cases, supplementary information was obtained from the mass media.

Figure 29. Number of SG who previously held a political position



Source: Author's elaboration based on the analysis of the CVs of the general secretaries appointed between January 1, 2021, and May 31, 2025

The most frequent political positions held before were those of advisor, state secretary, or deputy state secretary, and prefect or deputy prefect. In 14 cases, SG held various advisory positions, including those

of advisors to the Prime Minister, ministers, state secretaries, or were appointed as cabinet directors (see Table 14). In 10 cases, general secretaries held a position of state secretary or deputy state secretary, or a position with a rank equivalent to that of state secretary or deputy state secretary (such as the president of a national agency subordinate to a ministry). In multiple cases, they had previously been appointed as deputy prefects (6) and prefects (5). Even though, prior to 2021, prefects and deputy prefects were part of the senior civil servants' body, their appointments were made predominantly based on party membership; therefore, we decided to include these positions in the category of positions with a political role. In two cases, general secretaries were appointed from among those who previously served as members of Parliament. In one case, a person was elected as a local councilor, and another person was appointed as the General Secretary of Government; this position is equivalent to that of a minister, and appointments are usually made politically.

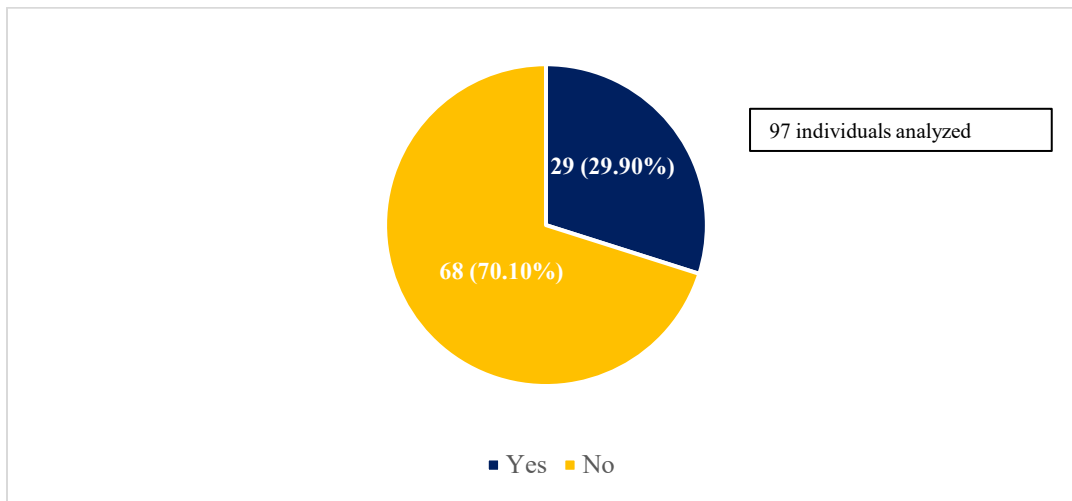
Table 14. Political positions previously held by SG

Position held	No.
Advisor (Prime Minister, Minister, Secretary of State)/Cabinet Director	14
State secretary/Deputy state secretary	10
Deputy prefect	6
Prefect	5
Member of the Chamber of Deputies (Parliament)	2
Local councilor	1
Secretary General of Government	1

Source: Author's elaboration based on the analysis of the CVs of the general secretaries appointed between January 1, 2021, and May 31, 2025

In the case of almost a third of SG, a connection between the change of ministers and the change of the general secretaries was found. The information about the name and political party of the minister at the time of the SG appointment was collected, as well as the name and political party of the minister when the general secretary was released from office. If no decision was published regarding the general secretary's release and no reappointment decision could be found, it was assumed that the temporary appointment had terminated. In this case, the minister who was in office at the end of the temporary appointment was identified. This analysis revealed that the mandates of 29 general secretaries were terminated upon the appointment of new ministers, whether from the same political party or a different one (see Figure 30). However, in four cases, the SG were reappointed to a different ministry, indicating that they followed the ministers who were appointed to a different ministry as a result of a government reshuffle.

Figure 30. Termination of the mandate of a SG following the change of minister



Source: Author's elaboration based on the analysis of the CVs of the general secretaries appointed between January 1, 2021, and May 31, 2025

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